

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held a special meeting on Monday, November 3, 2014 at 9:00 a.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: Neil Germain, Germain & Germain, Town Attorney
Richard Hooper, Director of Code Enforcement
Terri Walsh, Assistant to Highway Superintendent
Sharon M. Edick, Receiver of Taxes
Tracy M. Cosilmon, Town Clerk

Supervisor Zambrano had proof of publication announcing this special town board meeting.

The meeting was opened at 9:00 a.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 solicited any public comments.

Supervisor Zambrano announced that they would be going into executive session and they may or may not reconvene depending on the decision that was made. She said it pertains to a collective-bargaining negotiating session.

DISCUSSION OF 2015 BUDGET:

Public comments:

Don Snyder said they need to remember as they deal with this budget that they are setting a precedent for the future. We continue to take money out of our fund balance and we continue to borrow money to do our highways. He keeps hearing people tell him that they just can't afford an increase in taxes, but at the same time he doesn't hear them tell us what it is we should cut in order to make that take place. He thinks they need to remember that if we are going to raise our taxes we need to tell the people and the taxpayers in the town why we are doing it and what we are going to do in the future to not continue to raise taxes and to take money out of our fund balances.

Supervisor Zambrano, in regards to the budget, said they continue to work on the numbers, but they did not have any finals yet. They continue to look to see where they can realize some savings, some cuts, and they have been talking about eliminating some services, consolidating some services, hiring part-time, so those negotiations are going on. At this point and time they are not 100 percent sure that we will be below the 2% tax cap so she has put on the agenda consideration for passage of a local law to exceed the tax cap.

Supervisor Zambrano solicited any comments from the Board:

Board comments:

Councilor Venesky said they've had some discussions on this and they are pretty close on the 2 percent and the difference right now is how much fund balance; they are going to touch some fund balance and no one is comfortable about it. He said either way they go; they came in better than the Governor himself, so for that he is pleased. He said there has been a lot of due diligence that's been done here.

Supervisor Zambrano said at this point and time if they do pass this local law it's to have it as an option in the event that we are not able to get the numbers below the 2% cap.

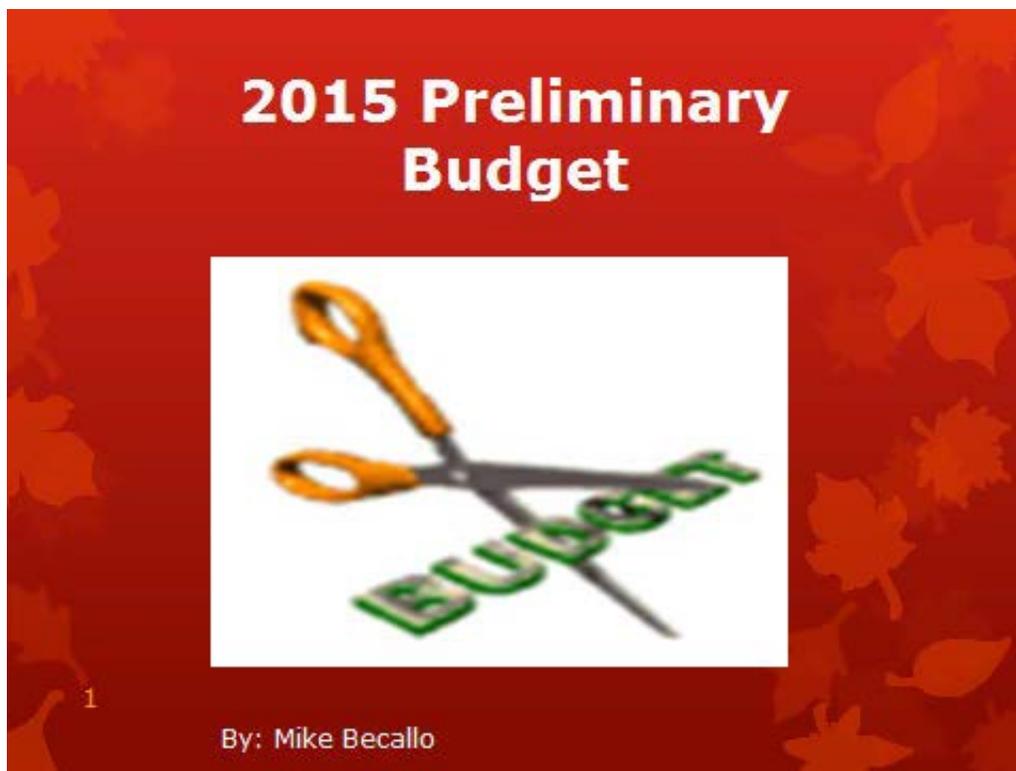
Deputy Supervisor Burtis said he thought that they should probably pass the law; to try to have one of our options available. He said it's true they've continued to look at it and they've continued to talk to different folks and they are trying not to use the fund balance, so as they went over it last time what our options are depends on how much we take out of the fund balance. The budget process really hasn't changed a great deal over the time that he's been here. They have made a lot of progress, but it is still difficult; they still don't have many parts of the budget down as tight as he would like, but, to take about \$350,000 or \$400,000 out of fund balance is still pretty good compared to or in light of our history. He said there has been a lot of discussion on what's in/what's out, so he thinks based on where they are at, as far as negotiating or talking with departments, he thinks it would be wise to have this on the books because they are still having discussions and disagreements about what should be in the budget, and what should not be; they have asked for cuts and they have gotten some, but they haven't got as many as their last proposal that they were talking about here in public.

Councilor Conway said he thought they should pass the law just in case we have to use it; if they don't do it then they can't use it.

Councilor Becallo said everyone knows where he stands, that he has pretty much made the same statement twenty times in a row. He said since the budget he proposed wasn't in a meeting that had minutes he would submit them to Tracy Cosilmon after the meeting so that everyone could have it (he told the individuals in attendance that didn't see his budget proposal they could go up and look at it and that they would be submitted in o the minutes).

Councilor Becallo's 2015 Budget Proposal that he presented the Budget Workshop that was held on September 29, 2014:

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2015 Current Budget Proposed By The Supervisor

- 1. Increased spending of over 11%
- 2. Taking \$700,000 from Town's Reserve Fund
- 3. Increased taxes by 5% maybe more



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Negative Consequences Of Increasing Taxes and Raiding Reserve Fund

- Government needs to learn how to live within a budget just like our fellow residents have to.
- Many of our fellow residents don't have the money to pay higher taxes and fees.
- People on fixed incomes especially will be hurt.
- Our older families will be forced to make choices between food and medicine
- Residents will be forced to move away putting further burden on those left behind
- Young couples, just starting out life with large amounts of College Debts, with young children
- The middle class, with both parents working, trying to raise their children, pay their mortgage, pay National Grid, and put food on the table.
- Lower income persons, who can't meet their current monthly bills.

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Food for Thought

- When the local government spends more each year than it collects in tax revenues, it has two choices: It can raise taxes, or borrow money. While both actions may benefit politicians, both options are bad for the average American.
- Real CUTS must be made...

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A cartoon illustration of a man with a large head, wearing a white shirt and a yellow tie, looking thoughtful with his hand on his chin. He is positioned in the bottom right corner of the slide.

Reserve Fund

- Preserve the Fund Balance for true emergencies because it is very difficult especially now to replenish these moneys when it is being used for everyday operations.
- Reserve Fund Moneys Borrowed since 2012:
 - 900,000 – 2012
 - 465,000 – 2013
 - 698,704 – 2014
 - 700,000 – 2015 Proposed
- We are quickly getting back to 2012 levels of Reserve Fund raiding.

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A cartoon illustration of a man in a white shirt and black pants pulling a large pig by a rope. The pig is white and has a red collar. They are positioned in the bottom right corner of the slide.

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My Goals for This 2015 Proposed Budget

Two Simple Goals That We Can Achieve

- Reduce Spending
- Balanced Budget



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Enough Talk



- Return to last years 2013 adopted Budget amounts for all departments.
- Spending Reduction of \$910,103 (This was just last year)
- By eliminating 5 additional areas of unnecessary spending an additional \$53,000 is saved = total savings of \$963,103
- All of this is done without cutting Town Services
- My goal is to save \$1,000,000 in reduced spending, and I believe together, we can find another \$36,897

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5 Additional Areas of Unnecessary Spending

- **Eliminating the position of budget officer, We have a comptroller who is hired to do this work. (Stop duplication of services) = \$8,000 savings (On the payroll W2)**
- **Eliminating unnecessary Legal costs \$20,000 for union negotiation and \$10,000 for Town Code. These two items should be put into the retainer and put town lawyer out to bid**
- **\$5,000 in Codes overtime + 2,400 for taking town vehicles home at night**
- **Cutting Town Board Salary by \$5,000**
- **Cutting Town Supervisor by \$5, 000**
- **Eliminating the Position of Director of Code Enforcement, which was only filled in Nov. 2013 - Lack of economic development cannot justify this position. \$62,500 included in Rolling back to 2013 Budget**



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Other Areas to Look at for Reduced Spending

- **Town employee Health Insurance: 2013 budgeted health insurance was \$883,963. 2015 Budget stated at \$1,117,477 an increase of \$233,514. OR 26% increase we need to know is this due solely to premium increases? Or plan changes? We have an opportunity to bid this out before the 1st of the year.**
- **Put Trash Hauler out to Bid our last contractor offered a cut of \$175,000 that the prior Town Board Rejected.**
- **Ideas and Input from Cicero Residents**
- **Town Attorney out to Bid with new retainer**
- **Put Cornell Roads Program under Direct Control of Highway Superintendent.**

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Benefits of This Proposed Budget

- Empowering the Town Board to take back the power of the purse
- Enable Department Heads to be proactive in the cost cutting
- Stop The Doom and Gloom by making real cuts
- Making real cuts will make this Town Government Healthier



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Long-term Outcomes and Solutions We need to work on

- Repairing and Maintaining Our Roads / infrastructure
- A Real Plan to Pay Down Our Debt
- Stop Borrowing money/issuing bonds



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Budget Deadlines

- This is a Proposed Budget!!
- We need more meetings to discuss real solutions.
- If this board is serious about Financial Responsibility to OUR Taxpayers then we must schedule more meetings, have more public input, and put together a better budget.
- I propose that we schedule the budget vote for Wednesday Nov. 12th



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Councilor Becallo said if we really want to work at it and we really want to get ourselves in a healthier situation we will make those tough decisions and make those tough cuts to *not* exceed the tax cap.

Supervisor Zambrano said historically speaking, the budget has always been balanced by using some fund balance and that amount of fund balance that was used prior to Jim Corl ranged from \$900,000.00 and up per year. So at one time we had fund balances in the five to six million dollar range and the fund balance was used as to not to raise taxes. She said she understands that, but it also depleted our fund balance so now we are getting down to precarious levels. The last two years we have been able to increase our fund balances a little bit, but there have been a number of fiscal challenges that she has reiterated over and over; increases such as: an EEOC settlement that wasn't budgeted for, increases in workers' compensation premiums that were not anticipated last year nor this year and a number of other challenges in which some of the areas were underfunded. So this year, this Board has tried to make up for the underfunding to make up for those challenges that we have faced and that is why they are having such difficulty trying to provide the same level of service without cutting too many essential services and still trying to stay below the 2% cap. She thinks we need to pass this as an option; they will try not to use it.

LOCAL LAW 3 of 2014:

Supervisor Zambrano moved the adoption of a resolution to approve Local Law 3 of 2014 as follows:

TOWN OF CICERO

LOCAL LAW NO. 3 FOR THE YEAR 2014

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the Town Board of the Town of CICERO as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Cicero pursuant to General Municipal Law §3-c, and to allow the Town of Cicero to adopt a budget for the fiscal year beginning January 1, 2015 and ending December 31, 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Cicero, located in the County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

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

Councilor Venesky:	Yes
Deputy Supervisor Burtis:	Yes
Supervisor Zambrano:	Yes
Councilor Conway:	Yes
Councilor Becallo:	No

Ayes – 4 and Noes - 1. *Motion carried.*

Supervisor Zambrano said they have commented about the 2015 Budget. Shirlie Stuart, our Comptroller, and Jim Rowley have continued to work on this as have several members of the Board. She asked if there was any further discussion or comments about the budget that anyone wanted to present.

There was no further discussion or comments.

2015 FIRE PROTECTION BUDGET DISCUSSION FOR 2015:

There was no discussion. A person in the audience asked why there was no discussion.

Councilor Venesky explained that they were still in discussions with the fire departments; they came to an agreement with the folks in Brewerton and there is still some ongoing discussions with the fire departments and until they come to an agreement that's good for the fire departments and good for the Town there is really nothing that he wants to talk about yet on that.

APPOINT AN TOWN ENGINEER:

Supervisor Zambrano solicited any Board comments.

Councilor Venesky said he had never dealt with the other engineering firms, he is aware of the history of some of them, has been made aware of them; they had a very frank discussion when they interviewed those firms. He thinks they understand what's expected of them when it comes to what we are looking for in regards to our roads and our infrastructure improvements. We are looking to, as we move forward in the Town of Cicero, to capitalize on some things that they think are going to be very good business development wise and we need an engineering firm to help us. One firm, in his mind, stood out and said they could do some things and that they have had more success than some of the other firms in some of those areas. He said his vote would reflect that.

Deputy Supervisor Burtis said it was very interesting for him, not coming from that background at all, to hear these folks talk; their view of things. We did interview them and try to learn different things; ask them questions of things that we are working on to try to get their perspective on what they would do and he thought it was very interesting on some of the different answers that we got. In picking an engineer for the Town, as he sat there and listened to them, it was important to him that they had the size of the office that could handle us and some of the things that we would like to see going forward. He thought that it was important or beneficial if they had history with us; whether that history was good, whether that history was bad, he thinks that this Town Board is very engaged. It's a good Town Board, and because they are engaged and they are very opinionated and they are not afraid to tell their opinions; he thinks that the engineer that he is interested in reflects all of that and he said he was ready to make a decision. Also, he thought it would be helpful if they made a decision sooner than later on this.

Supervisor Zambrano mentioned that at least three, if not all four of the engineers that they spoke to credited the Town for implementing the Cornell Roads Program; they all thought that this was a very valuable asset and they were all interested in pursuing road maintenance and repair according to Cornell Roads Program guidelines.

Deputy Supervisor Burtis moved the adoption of a resolution to appoint O'Brien & Gere as the Town Engineer from November 13, 2014. Supervisor Zambrano added to the resolution by saying this would be contingent upon mutually agreeable fees for general retainer and other areas of interest that the Town wishes to pursue such as drainage and sewer maintenance.

Supervisor Zambrano said they needed to negotiate those fees so the appointment is contingent upon the Town Board agreeing to all of the fees.

Motion was seconded by Councilor Conway.

Ayes - 4 and Noes- 1. *Motion carried.*

Councilor Becallo opposed, stating that he would have liked to go with Barton & Loguidice Engineers. He did some research after their meeting and they have an excellent reputation; they work with 85% municipalities only; that's not with private developers and he likes that a lot, and they had promised us that they wouldn't work with any of the developers that were in the town. The developer that would have been working with us is not from the Town of Cicero. O'Brien & Gere, he believes that the majority of the individuals that

were going to work on the project with the Town were going to be Cicero residents, so conflicts of interest would have been completely taken out because this individual doesn't live in our town. He said also that Barton & Loguidice Engineers have never worked in this town before and it gives us a clean start when it comes to engineering firms; we are just going back to the way we were in the years past. O'Brien & Gere is currently working with the Planning Board as their engineers and he doesn't like to see the conflict of the Planning Board Engineer being the Town Engineer as well.

HIGHWAY – BARN ROOF UPDATE:

Supervisor Zambrano said there has been some interest with the highway roof. There have been some issues relative to snow and ice build-up, with some leaks over there with concerns about mold build up because of the lack of integrity of that roof. She has been in contact, as well as other town board members, to see if we could get an estimate; an evaluation of that roof. The County is prepared to do that, as is O'Brien & Gere. O'Brien & Gere actually came out to do the assessment and they are putting together a report with an estimate of what the cost would be.

Councilor Venesky asked Supervisor Zambrano where we stand with the warranty on that roof; the roof had a twenty year guarantee and it was put on less than twenty years ago.

Supervisor Zambrano said the issue has been reviewed by the town attorney who believes that warranty may still be in effect; the warranty runs out in February of 2016, so we are proceeding on that basis. She expects that in the next few days we will get a report and an estimate from O'Brien & Gere and they could compare that to other estimates if the Board would like to.

Councilor Venesky said he understands the County's process, after speaking with them, on what we have to do to get a roof put on or any sort of capital improvement on a government building or facility. But if we have a warranty on the roof where the original contractor did that roof, and it's still in effect, then maybe we don't have to go through this process then we've got a leaky roof and have them come fix it.

Supervisor Zambrano said that was what she was thinking too. O'Brien & Gere was the engineering firm when the roof was put on in 1995; it was started and completed in 1996, so they oversaw the RFP process as well as the construction, so she thinks that they will be particularly helpful in giving us some recommendations on the roof but she wanted to see what they come back with as far as their report and their estimate and then they can make a final decision.

Sign Meeting Update:

Councilor Becallo asked Supervisor Zambrano if he could do an update of the sign meeting that was held on Thursday.

Supervisor Zambrano said she would prefer to leave it until November 12th because she was hoping that he could get some type of report to the Board, in writing by November 12th.

Councilor Becallo said it was a very spirited meeting, they got through a lot and they have a couple more areas to go through and then they will have that for her.

EXECUTIVE SESSION:

Supervisor Zambrano moved for the adoption of a resolution for the Board to enter into executive session. She invited the Town Attorney and the Comptroller, Shirlie Stuart to join them and said they may or may not be reconvening with a decision. She said the issue on the discussion was a collective-bargaining issue. Motion was seconded by Deputy Supervisor Burtis.

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

The meeting adjourned into Executive Session at 9:26 a.m.

Supervisor Zambrano said she had made the motion to enter back into Regular Session and that the motion had been seconded by Councilor Conway.

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

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 was adjourned at 9:41 a.m.

Tracy M. Cosilmon
Town Clerk