

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held a Special Town Board Meeting on Wednesday, November 17, 2010, at 5:00 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: 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
Anthony Rivizzigno, Town Attorney
Ronald DeTota, II PE, C & S Engineers

Absent: Christopher Woznica, Highway Superintendent

The meeting was opened at 5:00 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 and also for the young man who received the Medal of Honor.

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 off your cell phones and be sure to speak into the microphones to enable all to hear.

Ms. Boyke stated that at 6:00 p.m. there will be Youth Court.

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

Mr. Corl – Is this the typical roll call?

Ms. Boyke – It's a change of everything tonight.

Mr. Corl – Were you told to do that Tracy?

Tracy Cosilmon – Yes

Mr. Corl – By whom?

Tracy Cosilmon – The Supervisor.

Ms. Boyke stated that she asked her to.

Mr. Corl – Is there a reason?

Ms. Boyke - There is no reason for it. It's a woman's prerogative.

ADOPTION OF 2011 BUDGET

Shirlie Stuart – I divided the funds into three different packets, being Fund A, Fund B and Fund DB. I am simply going to state the changes since Monday's workshop. In Fund A, the first change was made to line A133301 and was in the Tax Receiver's Department. Part time employees were reduced down to 600 hours from 624 hours as discussed at the workshop on Monday, which is page 2 of Fund A. On page 6 of Fund A the Contingent Line A19904, will stay as discussed on Monday at \$20,000.00. On page 11, under Special Recreational Facilities, the Beach was reinstated. Those are the only changes in the appropriated part of Fund A. If we move to the Revenue part of Fund A, the only change per the beach re-opening would be to Beach Revenue A2012 the original \$1,000.00 was re-submitted. Those are the only changes to Fund A. Fund B, page 1 Contingent Account, we took the two police cars and the striping and the conversion line which are three lines, totaling \$58,050.00 and moved those funds into the Contingent Fund. We also increased the Contingent from \$25,000.00 to \$41,950.00 making that total line \$100,000.00 which is on page 1, Fund B. On page 4, Fund B, we reinstated the Beach and there are two accounts, one is \$3,000.00 and the other at \$1000.00, which is Learn to Swim. In reference to the Learn to Swim Program being reinstated, on the revenue side of Fund B, page 1, we reinstated the \$3,900.00 in revenue. Those are the changes to Fund B. In the Highway Fund, Fund DB the only change in the appropriation side of Fund DB would be for the truck for \$205,000.00 was removed with the idea that we can lease the truck next year. We discussed that at Monday's workshop. For those who have copies of this in the audience, this is just a DRAFT and is not a copy of the Final Budget. You can throw what you have away as a new copy will be submitted to the Town Clerk and filed, if this budget is passed. It will be on file in the Town Clerk's Office tomorrow. Currently, we are looking at 4.59% increase from last year's tax levy, which is \$13.00 per \$100,000.00 home. A \$200,000.00 home will be an increase of \$26.00. Those are the changes since Monday's workshop.

Motion was made by Ms. Zambrano, seconded by Mr. Jennings to accept the Preliminary Budget with the changes as presented by our Comptroller Shirlie Stuart as revised.

Discussion:

Mr. Corl explained that since Monday's workshop, Sharon Edick's part time employee's hours were further reduced. Initially, you accepted 624 hours and there has been further reduction to 600 hours and that figure was changed and I don't know by whom. I think the 624 hours was a reduction from 800 hours and that she is finding that to be problematic in servicing, accepting and collecting monies in her office.

Sharon Edick stated that she agreed with the 624 hours though she didn't like it as it will be difficult, today she found that things are different. I am confused, because I started out with a fair budget and it gets cut and now gets cut down even further. I am really going to have a hard time with that. We have a million dollar budget more than last year.

How can I keep up with hours being reduced? I don't see where I can. I am trying to do like everyone is trying to do in reducing things, but, I'm finding a change without any conversation. I don't think it's fair and is not good for my office. We are the fastest growing town in Onondaga County and we have more people to service and things to take care of and now we're going to reduce staff. We make an agreement and now we reduce it even further. I perform my fiduciary responsibilities to the best of my ability. I deserve my raise and I think I deserve my part time hours. I've had my contractual and education cut and everything has been cut tremendously.

Mr. Corl- I agree with you and I would ask the board to reconsider restoring not only the 624 hours and to go to 700 hours.

Sharon Edick – I have never wasted any hours. My employees are not afraid to say they've finished with a project and can sign off. I feel we have never abused that privilege. 700 hours would be very helpful.

Mr. Conway – She is probably the only department who has brought in \$25,000.00 to \$35,000.00 in interest off tax money. I would be against taking this away from her.

Sharon Edick stated that she has had 8,582 at my counter this year. The residents make the choice to come to my counter. They can mail and anyone can mail but, that many people chose to come. I think we would be doing them a disservice to the people who take the time to come here.

Mr. Corl – I agree with you.

Ms. Boyke – I've discussed this with Sharon and also explained my condition and position and also made reference to the fact that if it comes to the point where it is necessary and we need to find the hours to accommodate what ever our next year's business anticipates, that we certainly aren't going to jeopardize the public. Where there is a will, there is a way and I appreciate your comments, but, also I need to stand on my budget as well.

Mr. Corl – Throughout the duration of the budget process, we had in there that we aren't going to fund the \$40,000.00 William Park Beach. We talked about that and from the beginning that was in the budget that was presented. My comment to that is that all board members made comments relative to the under utilization of that and in tough economic time, that is one thing we need to look at being the utilization of the park. If we're laying off and cutting back and people are losing jobs in the Town Hall, that might be an area that would be an area which we would not fund.

Jody Rogers – William Park is probably one of the most utilized parks in our park system by the residents for either picnicking or swimming. It was originally put in the budget by me, and it was cut from the budget by the board. All along, I've said it's important to have.

Mr. Corl – Of Course

Jody Rogers stated that it is a facility that is not under utilized though and I want to be sure to say that.

Mr. Corl stated that he understood that Jody was prepared to look into other facilities or pools.

Jody Rogers explained that it was only to offer a Learn to Swim Program, not to offer a beach program.

Ms. Boyke – Was there revenue that comes from the pavilion that we're losing?

Jody Rogers – It's a small amount of money but, you get revenue offsetting that which is minimal.

Ms. Boyke – There was some disinterest in the town because they had already prepared to use that facility.

Jody Rogers stated that she didn't think the public has been made aware that it is closed and that it hasn't reached the newspapers to say that this beach isn't going to be open and that we're not going to offer Learn to Swim Program. I was away and wasn't at the last budget workshop, but it has been put in the budget and I support having it in there. I was going along with the attitude that all departments had to give back and it was tight and it was tough, although it has loosened up quite a bit.

Mr. Corl – Obviously, you want it back in and I wouldn't expect otherwise, but, this was proposed by the Supervisor and the board agreed with that.

Mr. Conway stated that there is a big county park that is about 6 miles away and that we should let the county pay for it, as they have taken enough away from us already.

Ms. Boyke explained that we have to keep the park open. It was only the beach portion that we were closing. We still have to maintain and still have to provide the facility security and the proper safety. The only portion that we were shutting down was the beach itself and not the park and that is a free park.

Mr. Corl – That would be salaries for lifeguards, etc. which calls for \$43,000.00.

Ms. Zambrano – I think it is fair to say that during the course of this year, we're going to be watching the budget very closely. If it looks like we won't be able to fund William Beach, then we'll have to make that tough decision at that time.

Jody Rogers – I like that idea. If we have to reduce the number of weeks we're going to be open for public use, let me do that. When our community residents can't afford to go outside of their own community because of the economic times, the only place they can utilize is our facilities here and the beach is one and we aren't charging. We have people who are there every day of the week. We saw an increased use in the pavilion and an increase use of the swimming facility. It's your resident's and not people from outside this community coming to that small beach.

Mr. Jennings asked if we are still getting the gazebo.

Jody Rogers – Yes

Mr. Jennings - Once that gazebo is in, you're going to see wedding parties, etc., there which may generate more people.

Jody Rogers – We've had seven weddings out there, because people can't afford to have a wedding at other places, so they chose William Park. The gazebo will be there in the spring of 2011.

Mr. Corl stated that his last comment was relative to the lease and that on Monday he brought up the idea of funding and believed we budgeted \$203,000.00. His goal going into the budget itself has always been to have a 0% tax increase and he thought if all the numbers stayed consistent, and we leased that vehicle in the amount of \$203,000.00, that the tax levy could be brought down to just about zero, given the fact that it is about 1% per \$50,000.00. Is that correct?

Shirlie Stuart – Yes, that's correct.

Mr. Corl stated that he anticipated looking at the budget being zero percent and that is what he would like to see.

Ms. Boyke stated that didn't make sense because of our fiscal responsibility and the economics coming up in 2011 and 2012 by raising the tax levy by a minimal one, or two dollars, per month, in order to sustain our budget. Using a zero percentage doesn't make sense because people know that we can not continue to survive on our savings account.

Next year, and the year after, the impact, is going to be a whole lot more in the years ahead.

Ms. Zambrano – I understand Sharon’s concerns and Jim’s comments, but we’re trying to balance services, like the beach to the facility and asking Department Heads to work smarter and more efficiently. While I’m prepared to adopt this budget, I would like to emphasize that we will be monitoring expenditures very closely and will make modifications throughout the year, where necessary. If Sharon needs more time because of the needs in her office, we’ll have to make those accommodations. We’re trying to be as fiscally responsible as possible.

Mr. Corl – The only problem with that, if it isn’t budgeted, it becomes problematic and amendments have to be made and things of that nature. That’s why I think Sharon wanted that money secured in the budget for those hours.

Ms. Zambrano – It has never been a problem in this town, to make budget amendments and modifications. They happen routinely and universally at most town board meetings. I don’t see that as an obstacle at all.

Continuation of the vote:

The motion was approved as follows:

Mr. Conway:	Yes
Mr. Corl:	No
Mr. Jennings:	Yes
Ms. Zambrano:	Yes
Ms. Boyke:	Yes

Ms. Boyke stated that Altman Enterprises sent a letter stating that they would extend their pickup of our leaves and brush as they are falling later in the season and would like to extend their contract no additional cost. However, we have made arrangements through our own Town Highway Department to do this and we are all set to go. We will be re-negotiating this contract next year and are covered this year.

Mr. Conway asked how the town gets the money it expected to get from fines, for the town becoming a Suburban Town. We were told to expect \$150,000.00 and I said we’d probably get \$40,000.00 but, we have about \$10,000.00. What is the secret?

Shirlie Stuart – I don’t know what the exact number is. The secret is how the ticket is written. It has to be written under our local law. The problem is, our Police Officer’s are doing so, and then it comes before the Judge and if it’s reduced, it becomes a different section of the law.

Mr. Conway – Have we adopted a law.

Shirlie Stuart – I believe so, because we’re a Suburban Town.

Mr. Conway – Is that automatic in becoming a Suburban Town?

Shirlie Stuart – Yes.

Tony Rivizzigno explained that when an attorney goes to the District Attorney’s Office with a speeding ticket under town law, the DA may reduce it to a violation of the Vehicle Traffic Law, which then becomes State Law. If they can reduce it to another town, not a point violation, then the money would come back here.

Mr. Conway – So, we don’t know if we will get any more than that.

Tony Rivizzigno stated that he didn’t know if there was a section in the local law that would be equivalent to a noisy muffler as an example. If you have that, they could reduce to a town code violation as opposed to a vehicle and traffic violation.

Mr. Corl – We've adopted that. Sometimes when they go to the DA, it will be reduced to something besides our local law.

Mr. Rivizzigno explained that you would have to get the DA's Office, to reduce those charges to town law as opposed to V & T. The problem is, they don't know what the town ordinances are and they have the V & T book there and would have to have the town codes sections. We can talk to them about it. I would be glad to speak with the DA if you wish.

Mr. Conway – If we're losing \$100,000.00 a year, that's foolish.

Mr. Rivizzigno – I will speak to the DA.

Mr. Conway – I would appreciate that as we did a lot of talking to people about a Suburban Town and it isn't coming back.

Mr. Rivizzigno – I'd be glad to do that.

Motion was made by Ms. Boyke, seconded by Ms. Zambrano to adjourn the Special Town Board Meeting.

The motion was approved as follows:

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

There being no further business before the board, the meeting was adjourned at 5:30 p.m.

Tracy M. Cosilmon
Town Clerk

The 2011 Preliminary Budget as revised and which was adopted is available on the Town website or a hard copy is available for review in the Town Clerk's Office

The Preliminary Budget as approved becomes the 2011 Final Budget per Town Law

