

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their regular meeting on Wednesday, November 12, 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
C. Vernon Conway, Councilor
Mark Venesky, Councilor
Mike Becallo, Councilor

Others Present: Christopher Woznica, Highway
Joseph Snell, Police Chief
Robert Germain, Germain & Germain, Town Attorney
Mark Parrish, O'Brien & Gere, Managing Engineer
Stephen Snell, O'Brien & Gere, Town Engineer
Jim Rowley, Budget Officer
Tracy M. Cosilmon, Town Clerk

The meeting was called to order by Supervisor Zambrano at 6:30 p.m. All present joined in 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.

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:

Deputy Supervisor Burtis moved the adoption of a resolution to approve the minutes of the Special Town Board Meetings held on October 21, 2014 and November 3, 2014, and the Regular Town Board Meeting held on October 22, 2014.

Motion was seconded by Councilor Venesky.

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

Approval of Abstract Numbers 43, 44 and 45:

Supervisor Zambrano solicited any discussion from the Board.

Councilor Venesky said he did not receive Abstract #44 and was not able to ask Shirlye Stuart some of the questions he had so he would be abstaining.

Deputy Supervisor Burtis moved the adoption of a resolution to approve abstract numbers 43, 44 and 45.

Motion was seconded by Councilor Conway.

.Ayes- 3, Noes – 1, Abstained -1. *Motion carried.*

Councilor Venesky abstained.

Councilor Becallo opposed. He said there was no invoice for check #10927, Germain & Germain. He said when he asks for invoices he gets the voucher instead. On check # 47888, Strategic Management Solutions there was an audit done, no detail, no narrative.

Supervisor Zambrano said for the audit it was for the first down payment; the audit hasn't been completed yet.

Abstracts can be viewed on the Town's website: www.ciceronewyork.net

BUDGET MODIFICATIONS/AMENDMENTS:

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

**TOWN BOARD MEETING
11/12/2014**

**2014
BUDGET MODIFICATIONS**

FROM		\$	TO	
A162040	Buildings	400.00	A1620406	Police Building
A1620470	Supplies	220.00	A14104	Town Clerk Contractual
DB514042	Brush/Tree Removal	2000.00	DB513049	Pay Loader Repairs
DB514042	Brush/Tree Removal	1000.00	DB511242	Roadside Drainage
DB514043	Topsoil	1290.00	DB511242	Roadside Drainage
DB511041	Equipment Rental	500.00	DB51424MB	Mailbox/Stakes
A19904	Contingent	10000.00	A10104	Town Board*
A13301	Tax Personal Services	5.38	A13301OT	Tax Overtime
A19904	Contingent	2500.00	A14704	Ethics Committee Contractual
A162040	Buildings	154.18	A1620406	Police Building

*Justice and Deferred Comp Audits

2014 BUDGET AMENDMENTS

Revenue			Appropriations
A2705	Gifts and Donations	1000.00	A7110459 Park Projects

Motion was seconded by Supervisor Zambrano.

Ayes - 4 and Noes- 1. *Motion carried. Councilor Becallo opposed, stating he did not approve of Judge Putzer working on the Ethics Committee at the previous meeting and does not approve of this budget modification now.*

Town of Cicero 2015 Budget:**Public Input:**

Don Snyder said he went through the budget line item by line item. He sees some obvious changes, but he doesn't see a major hit for anybody other than Highway. Even though Highway has the biggest budget, percentage wise, they are taking way more out of there. The part that scares him is that they are taking about \$125,000 out of the salt budget and he thinks they are just playing with numbers by doing this. He reminded the Board that on the budget they were proposing to approve:

- \$483,194.00 from the fund balance use to be \$764,000.00
- he believes they are still going to borrow \$650,000 for Highway, which they need to tell the public it means we have a budget that's going to be \$1,133,194.00 out of balance, or 10% of our budget is not in balance.

Supervisor Zambrano commented that \$483,000 being taking out of fund balance is the lowest amount that we have taken out in the last 5 to 6 years to try to balance the budget.

Councilor Venesky in response to the Highway fund said as a Board they decided that they were going to put the paving projects out to public referendum next year; right now there is no paving in the budget.

Mr. Howe asked about the line item for \$34,000 under the Due Fund A balance.

Supervisor Zambrano confirmed with Jim Rowley that the \$34,000 was for an EEOC settlement that the Town had to pay. We didn't have the money because we didn't anticipate how much the settlement would be so we borrowed the money out of Fund A, so we have to levy for it to pay it back into the General Fund A.

Mr. Howe asked where the original \$34,000 went.

Supervisor Zambrano explained that it was the EEOC settlement of the North Syracuse Fire Department.

Mr. Howe said Cicero Fire District paid that out of their own savings account and asked why the Town was paying for North Syracuse.

Supervisor Zambrano said because the Town is a sponsoring agent for a fire protection district but the fire district is a sponsoring agency for their own fire protection district, so that's why Cicero Fire District paid it. She said that Brewerton also paid their own.

Mr. Howe asked if the Town of Clay or the Village paid any of that.

Supervisor Zambrano said they paid equal amounts.

Robert Germain explained that there were several parties; it was for the LOSAP (Length of Service Awards Program) benefits for firefighters as a result of an age discrimination case.

Mr. Howe said he understood that because Cicero Fire paid their own part of it and they have fire protection too. He is just wondering why the Town Board paid for one department's lawsuit and not the other ones.

Robert Germain said the other ones are fire districts; they are separate municipal entities. We are not the fire districts, which would be Cicero and Brewerton. We are not responsible as the sponsor for the plan the way we are with North Syracuse.

Mr. Howe said North Syracuse is a village owned department.

Steve Perperian said there was a petition going around to open the fire district and asked Supervisor Zambrano if she would be willing to sign his petition.

Supervisor Zambrano said she didn't think that she was in a position to answer that question. She thinks the Board is very interested in seeing what it is that they can do for the future and they are going to educate themselves about what is the best approach.

Steve Perperian said he lives in the fire district, and is a volunteer fireman, so he pays the biggest portion being a volunteer and paying the extra along with a lot of other people in the town; they would like to see it someday equalized, in all fairness.

Jon Barrett said on the fire protection districts his fire taxes are going up and zero of his tax money is going to the Cicero Fire Department. He asked why. He said his taxes are going up and not a dime is going to the fire house where he spends countless hours away from his family because the department has over 500 calls a year. He said his money is going into the dish from the fire protection fund. He lives in Cicero and its being distributed between the other departments that are getting an increase (let alone pay for a lawsuit of North Syracuse and that's not his problem). He said his money needs to go down to his fire house, or they need to leave his tax where it is now. He said that he, as well as all the other firefighters in the room and every year this Board (whether it is the current five or the previous five that come in) do a heck of a job making each of those five town fire departments fight amongst themselves because they put it that way. They do a service for free for this town and the Board makes it into a game. They can't live off the fire district - they have been living off of them for years and the Board is not allocating the property funds (which is his tax dollars and his family's living in that fire district going into that pot) and the Board thinks they are the experts to take that money and give the other departments the money and tell his fire department "screw you" and that's what happened this year.

Supervisor Zambrano said Councilor Venesky was involved in some discussions with Cicero Fire Department and she thinks that Jon Barrett did speak to some of the issues of the fiscal challenges that we face this year.

Jon Barrett said the issue is his taxes are going up and it's not going for the service it is going to. He said that he doesn't mind paying for the police department or the highway department because they do a hell of a job, and if they ask for more money now he'd rather give it to them. He's not bashing the other department because they work hand and hand, but he is not going to be quiet because his taxes are going up.

Deputy Supervisor Burtis said the Board doesn't have the luxury of just picking out which one they want - they have to take care of each one of them; they have to try to make good decisions with the money that is given to them.

Jon Barrett said tax the people in that district that they have an issue with. He asked if the North Syracuse issue comes out of the protection money.

Someone on the Board said yes.

Jon Barrett said so everybody that lives in the protection district \$34,000 is going to settle a lawsuit down the street. North Syracuse is a village owned fire department so why would we even settle like that.

Supervisor Zambrano said we have fire departments that we have to deal with in the Town of Cicero, but there is only one line so they tried to make equitable decisions about which fire department gets how much.

Jon Barrett asked how that is based.

Supervisor Zambrano said a lot of it is based on past history.

Jon Barrett said the Board puts five fire departments against each other every year at budget time to play the numbers game. He'd love to see all five fire departments come back to the Town and say, "You know what, this is what we need. This is how you are going to work it. You work for us."

Supervisor Zambrano explained that the Cicero Fire Department came in asking for a 10% increase. There was a memo that was sent out by her saying we have fiscal challenges and we are going to have to make a sacrifice and she asked the fire departments if they could cut 5 percent. Cicero didn't do that, they came in with a 10 percent increase. Another fire department stayed flat, and another one came in under (they didn't get under 5% but they came under). She said that there were challenges with South Bay, and they also negotiated with Brewerton, so they have been trying to make equitable and responsible decisions, but there is not an unlimited amount of money.

Jon Barrett said sure there is; they are taking his fire protection money and giving it to somebody else.

Supervisor Zambrano asked Jon Barrett if he had any other concerns he would like to talk about.

Jon Barrett said they talked about issues with the budget. He sat there two weeks prior when they had the budget workshop and the residents were treated like a bunch of monkeys in a circus because the Board wouldn't let them put their input in until after they gave numbers. He remembers Councilor Becallo stating "let's take a pay decrease."

Jon Barrett told Supervisor Zambrano that we are looking at the proposed budget that we are going to vote on and unless it was changed, he sees her taking an increase and the councilors taking a pay decrease. He wanted to know why they have an increase and asked what was different from two weeks ago until this meeting.

Councilor Becallo said he believes the Councilor line actually went up as well.

Supervisor Zambrano said they all went up 2 percent.

Jon Barrett asked why in physical times are we raising the salaries of individuals, when the Board sat there and he had heard at least two of them say decrease their salaries, and now we are going to raise all five.

Supervisor Zambrano said that there were (3) Board members who thought that a two-percent increase was equitable.

Jon Barrett asked if it was fair for them to get a 2% increase but he and his organization that services them don't. He said that it's not fair to give them an increase in difficult fiscal times when costs are going up, or other organizations such as the police or highway departments. He said it is irresponsible for the Board to even consider taking an increase in their salary and hopes that they reconsidered that when they vote on this and change it.

Lastly, Jon Barrett said there is a petition going around and they are going to be forced into doing things that they don't want because the Board can't work with people. He told them to remember that they work for him and the people in that room – they don't work for themselves.

Judy Boyke said she noticed in an increase in the property tax in the Revenue. She asked if there was a crystal ball or something that said we were going to get more taxes or is that just a pad; they just slipped that in there to buff it up so they could balance it.

Jim Rowley said the A fund did increase property taxes and the B fund and the Highway fund decreased taxes - it was a balancing act between the funds as to where we got to the bottom number.

Judy Boyke said another words they just manipulated the numbers.

Jim Rowley replied that's what you do when you do a budget.

Judy Boyke said she noticed the Dog Control is gone and asked who is going to take care of the dogs.

Supervisor Zambrano said they were going to consolidate the service with the Town of Clay.

Judy Boyke said there is no money budgeted for Dog Control and asked if it was contractual \$2,000 from \$25,000 to \$26,000?

Supervisor Zambrano said it was more like \$10,000.

Judy Boyke said because the Town has a responsibility with the County to plow their roads she feels bad for Chris Woznica, because obviously those are the roads that are going to get the salt first instead of ours because they pay us good money to plow those roads and that salt better be there because we make good money.

In regards to paving, Judy Boyke said they said we were going to do a referendum and asked the Board what happens if the referendum doesn't pass. So we will not pave any roads next years and if the referendum is done...when are they planning to do that?

Supervisor Zambrano said they haven't crossed that bridge yet.

Lastly, Judy Boyke asked the Board to tell her about Brewerton Ambulance.

Supervisor Zambrano said Brewerton Ambulance agreed to take another decrease to \$90,000. She said that there are systems issues that were identified with that agreement, which there is no agreement at this point, so we are going to try to rectify that situation.

Judy Boyke asked if they found out about the \$43,000. Did they see a copy of the purchase offer that went in to purchase a building? Did they see a copy of that check; who did it go to Mr. Rich?

Supervisor Zambrano said they are going to be having those discussions.

Judy Boyke said they better be having an audit because she is going to ask for an audit and she will be forwarding it.

Judy Boyke asked Supervisor Zambrano if she had a very close friendship with Michael Stassi's family.

Supervisor Zambrano replied yes.

Tom Beaulieu asked Supervisor Zambrano if didn't she say that we were going to do a presentation on the budget after the people speak. He said basically they have got to pass the budget before we know what's in it. He asked the Board why they don't give him the opportunity to speak after he knows what it is all about.

Supervisor Zambrano explained that the power point presentation was not going to be based on feedback from the audience. The power point presentation is going to be made for the benefit of the Town Board and whatever public is here by our Budget Officer; based on how he has come up with the numbers.

Tom Beaulieu said who would possibly want to comment on some numbers that were from two weeks ago and then find out that the numbers have changed; like for the Highway department. If they were in his position would they want him to tell them the same thing?

Supervisor Zambrano told Tom Beaulieu we have been talking all year about the fiscal challenges that this town is facing and he gets up time after time with cut spending, and cut that, without a lot of specifics, but they have had to make some very hard choices this year that are not popular. They understand that everyone is upset. They were upset when we passed the tax cap, but we are under 3% right now and we are taking a lesser amount out of the fund balance that was originally proposed, so yes there are a lot of sacrifices that have been made and everyone is going to feel the pinch.

Tom Beaulieu said technically they are going to have a presentation, as he mentioned earlier, and then not allow any public input onto the budget that's actually been amended that they are going to vote on tonight, and asked if he was correct on that.

Supervisor Zambrano said the power point would be done after the public input for this agenda item.

Tom Beaulieu said our founding fathers said *The power to tax is the power to destroy*. If they are taking money out of the salt budget and that doesn't make any sense, that's like taking half the fire extinguishers out of this building and then when they find out that you've got a fire you are running around to the different neighbors to see if they can borrow a fire extinguisher - it makes no sense at all. How are they going to save any money by taking the salt out of this budget if they need it? How are they going to put it back in, the fund balance reserve?

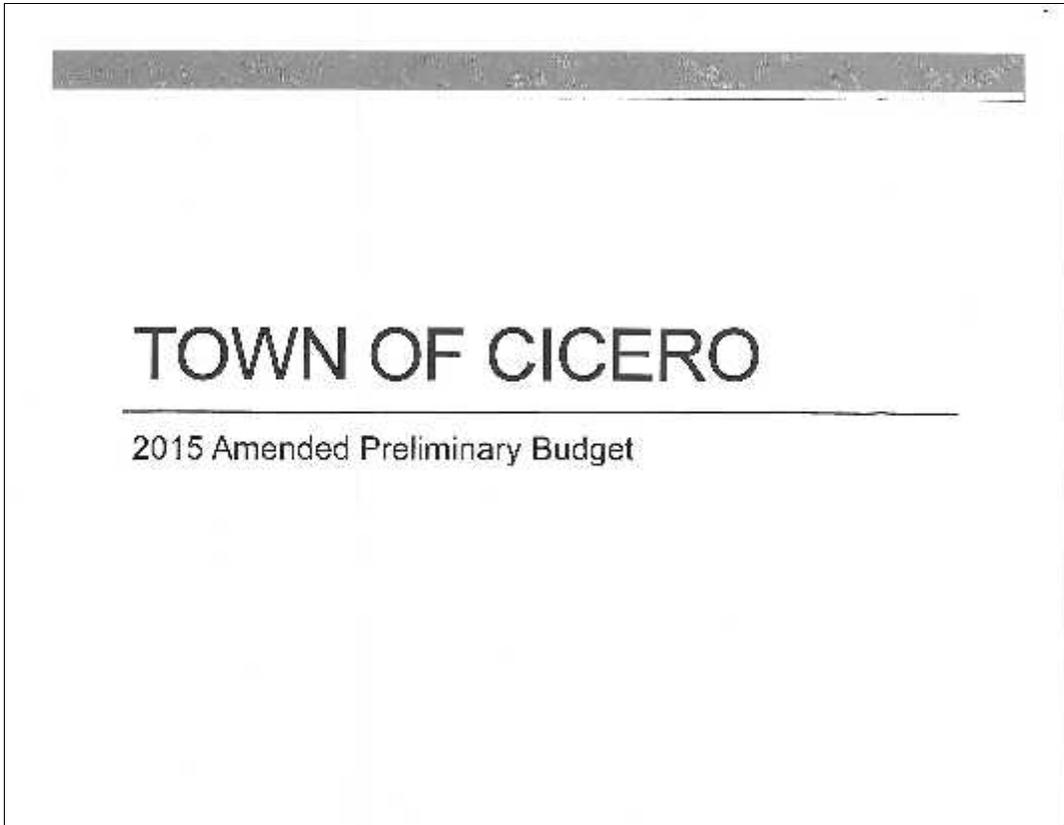
Supervisor Zambrano said if necessary they will do that. They will not sacrifice public safety - so if they have to do that than yes they will.

Councilor Becallo said Supervisor Zambrano did sacrifice public safety; every cut that this budget made is in the areas of public safety.

Tom Beaulieu said he can understand why there are a lot of people are upset, including the Chief, if they aren't going to give us the opportunity to actually participate in the process then why even have us come up there. He has been doing this for about 10 or 12 years, before they were even on the Board, and he has come in here and made suggestions and some of them have been enacted, but this year it seems like we are making sausage and we don't know what we are doing.

Deputy Supervisor Burtis said this is what they have been working on all year, public input before the item number. Now if they want it after the number he thinks that would be interesting. All they are doing in this situation is giving them the opportunity to have public input, like they decided, before the line item. They still have public input if you want to about whatever you heard later, but this is not just for this meeting, they've been running this since they started this.

Jim Rowley said his presentation was brief; he wanted to highlight the changes between what was on the table on the October 10th public hearing and what is being proposed as an amended budget that night.



Jim Rowley said this is the amendment that is on the table to amend the budget:

Addendum A					
A FUND			B FUND		
Account	Description	Incr./Deer.	Account	Description	Incr./Deer.
A0325.42	Computer Software Control an	(1,000.00)	B03030.10	Salary Police	(47,870.00)
A0220.40	Contractual Tax Collection	(1,250.00)	B0250.12	Wages Learn to Swim	(2,300.00)
A0255.44	Computer Labor Assessment	(300.00)	B0250.47	Contractual Learn to Swim	(40.00)
A0410.10	Salary Town Clerk	17,777.00	B9005.80	Police & Fire Retirement	(7,500.00)
A0420.40	Contractual Law	(5,000.00)	B9005.90	FICA	(3,400.00)
A0420.42	Town Code Law	(8,000.00)	B9060.80	Medical Insurance	(20,000.00)
A0430.44	Litigation Law	(10,000.00)	B1001	Real Property Taxes	(76,175.00)
A0440.40	Contractual Engineer	(5,000.00)	DB FUND		
A0501.X1	Equipment Buildings	(1,000.00)	D0510.12	Seasonal Summer	(15,000.00)
A0600.408	HWY Garage Buildings	(3,000.00)	D0510.40	Equipment Rental	(5,000.00)
A0600.405	Parks & Rec Pole Barn Buildings	(1,000.00)	D0510.47	Misc.	(2,000.00)
A0600.435	Contractual Postage	(3,000.00)	D0510.49	Oil/H&G/Misc	(3,000.00)
A0600.41	Computer Maintenance/Support	(3,000.00)	D0510.51	Concrete blocks	(1,000.00)
A0610.40	Contractual Traffic Control	(25,000.00)	D0510.55	Contracted Maintenance	(7,500.00)
A0510.10	Salary Dog Control	(26,495.00)	D0510.47	Sanitary Drainage	(20,000.00)
A0510.101	Overline Dog Control	(2,184.00)	D0510.11	Merchandise	(2,000.00)
A0520.40	Contractual Dog Control	2,000.00	D0510.40	Oil/Fuel/Bulk	(3,000.00)
A0585.40	NAVAC	(5,154.00)	D0510.41	Roofs/Parks/Repairs	(4,000.00)
A0005.40	Contractual HWY Administration	(1,000.00)	D0510.45	Misc.	(500.00)
A0330.20	Equipment / Cap Outlay HWY Garage	10,000.00	D0510.46	Tires/Trucks/Misc	6,500.00
A0775.101	One-time Aging	(200.00)	D0510.47	Sweeper/Repair	(1,000.00)
A0710.45	Improv/Rehab Parks	20,000.00	D0510.50	Gradall/Bagger	(1,000.00)
A0710.10	Salaries Lifeguards Beach	125,000.00	D0510.40	Summer Beach/De Fuel	(5,000.00)
A0710.12	Monitors Beach	4,500.00	D0510.42	Bush/Tree Removal	(4,000.00)
A0710.40	Supplies Beach	(1,000.00)	D0510.40	Soils Waste Disposal	(500.00)
A0710.47	Improv/Rehab Beach	(250.00)	D0510.45	Brush-Misc.	(200.00)
A0710.45	Service Contracts Beach	13,000.00	D0510.20	Equip/Cap Outlay	(18,000.00)
A0000.00	FICA	(2,680.00)	D0510.20	Salt	(175,000.00)
A0001	Real Property Taxes	90,982.00	D0510.20	Fuel	5,000.00
	Appropriated Fund Balance	(170,424.00)	D0510.50	Misc	1500.00
			D09000.00	FICA	(150.00)
			D01001	Real Property Taxes	(94,704.00)

Jim Rowley said this slide sort of summarizes what the changes were. You can see Appropriations in the top group of numbers.

- Between the funds there was somewhere north of \$354,000 worth of cuts that were made
- Revenues are unchanged.
- As the Supervisor indicated we did reduce the use of Fund Balance down to \$483,000; that's \$280,000 + in Fund Balance reduction
- There was a reduction in the Levy overall
- We made a decision to reduce Fund Balance use in A Fund a little bit more and increase the taxes in that fund; but the other funds, along with their reduction in fund balance they did also reduce the tax levy in those other funds. The total Tax Levy reduction for the General Funds was almost \$74,000.
- We did look at all the Special Districts again: \$174,000 the total reduction in taxes, Special Districts and General Funds combined \$248,000.

TOWN OF CICERO			
2015 Preliminary Budget Summary			
APPROPRIATIONS			
	2015	2015	
Fund Description	Preliminary	Amend Prelim	Change
GENERAL FUND	\$2,932,660	\$2,878,113	(\$54,547)
PART-TOWN OUTSIDE OF VILLAGE FUND	\$3,228,726	\$3,152,550	(\$76,176)
PART-TOWN HIGHWAY FUND	\$1,132,662	\$3,980,306	(\$202,213)
TOTAL	\$10,333,847	\$9,978,977	(\$354,870)
REVENUES			
	2015	2015	
Fund Description	Preliminary	Amend Prelim	Change
GENERAL FUND	\$1,229,820	\$1,229,820	\$0
PART-TOWN OUTSIDE OF VILLAGE FUND	\$448,883	\$448,888	\$5
PART-TOWN HIGHWAY FUND	\$387,001	\$387,001	\$0
TOTAL	\$2,043,507	\$2,043,507	\$0
APPROPRIATED FUND BALANCE			
	2015	2015	
Fund Description	Preliminary	Amend Prelim	Change
GENERAL FUND	\$579,489	\$203,065	(\$376,424)
PART-TOWN OUTSIDE OF VILLAGE FUND	\$80,129	\$80,129	\$0
PART-TOWN HIGHWAY FUND	\$524,489	\$200,000	(\$324,489)
TOTAL	\$784,107	\$483,194	(\$280,913)
TAX LEVY			
	2015	2015	
Fund Description	Preliminary	Amend Prelim	Change
GENERAL FUND	\$1,343,251	\$1,443,238	\$99,987
PART-TOWN OUTSIDE OF VILLAGE FUND	\$2,701,910	\$2,625,736	(\$76,176)
PART-TOWN HIGHWAY FUND	\$3,461,072	\$3,383,306	(\$77,764)
TOTAL	\$7,526,233	\$7,452,276	(\$73,957)
SPECIAL DISTRICTS	\$1,779,023	\$1,601,880	(\$177,133)
TOTAL	\$12,305,256	\$12,057,166	(\$248,090)

Jim Rowley explained that this page is the adjustments that we did to the Special Districts. These are high-level adjustments; we've either adjusted contractual expense, or we did reevaluate our fund balance and made adjustments accordingly; within these special districts there are a number of, depending on which special district you are talking about, sub funds that have their own assessed value that we levied the overall tax on.

Special District Adjustments		
<u>Fire Protection</u>		
SF1001	Real Property Tax	(30,525.00)
SF3410.40	Contractual Expenditures	(30,525.00)
<u>Sewer</u>		
SS1001	Real Property Tax	(40,000.00)
	Appropriated Fund Balance	40,000.00
<u>Drainage</u>		
SD1001	Real Property Tax	(89,000.00)
	Appropriated Fund Balance	89,000.00
<u>Refuse and Garbage</u>		
SR1001	Real Property Tax	15,123.00
SR2160.40	Contractual	15,123.00
<u>Lighting</u>		
SL1001	Real Property Tax	(22,972.00)
SL5182.40	Contractual	(26,984.00)
	Appropriated Fund Balance	4,012.00
<u>Ambulance</u>		
	Real Property Tax	(6,760.00)
	Contractual	(6,760.00)

Jim Rowley said this page summarizes the changes:

- You can see where the Fire Protection Districts were reduced by \$30,000 and on down the line from Sewer to Drainage.
- A slight increase in the Refuse and Garbage Districts, Lighting Districts, and the Ambulance District.

TOWN OF CICERO SUMMARY OF SPECIAL DISTRICTS 2015						
Fund Description	Appropriations	Less:		Amended 2015 Tax Levy	Preliminary 2015 Tax Levy	Change
		Unexpended Balances and Appropriated Reserves				
FIRE HYDRANT DISTRICTS	\$ 6,381	\$ 1,435	\$ 4,945	\$ 4,945	\$ 0	
WATER IMPROVEMENT DISTRICTS	\$ 57,489	\$ 6,586	\$ 50,803	\$ 50,803	\$ 0	
FIRE PROTECTION DISTRICTS	\$ 1,665,040	\$ -	\$ 1,665,040	\$ 1,655,565	\$ (30,525)	
SEWER IMPROVEMENT DISTRICTS	\$ 372,742	\$ 250,500	\$ 122,742	\$ 162,742	\$ (90,000)	
DRAINAGE DISTRICTS	\$ 258,200	\$ 199,076	\$ 159,124	\$ 243,124	\$ (89,000)	
REFUSE AND GARBAGE DISTRICTS	\$ 2,080,123	\$ (24,975)	\$ 2,105,096	\$ 2,089,973	\$ 15,123	
LIGHTING DISTRICTS	\$ 416,078	\$ 9,550	\$ 407,159	\$ 450,111	\$ (72,972)	
AMBULANCE DISTRICT	\$ 90,000	\$ -	\$ 90,000	\$ 96,763	\$ (6,760)	
	\$ 5,046,653	\$ 441,764	\$ 4,604,890	\$ 4,779,023	\$ (174,133)	

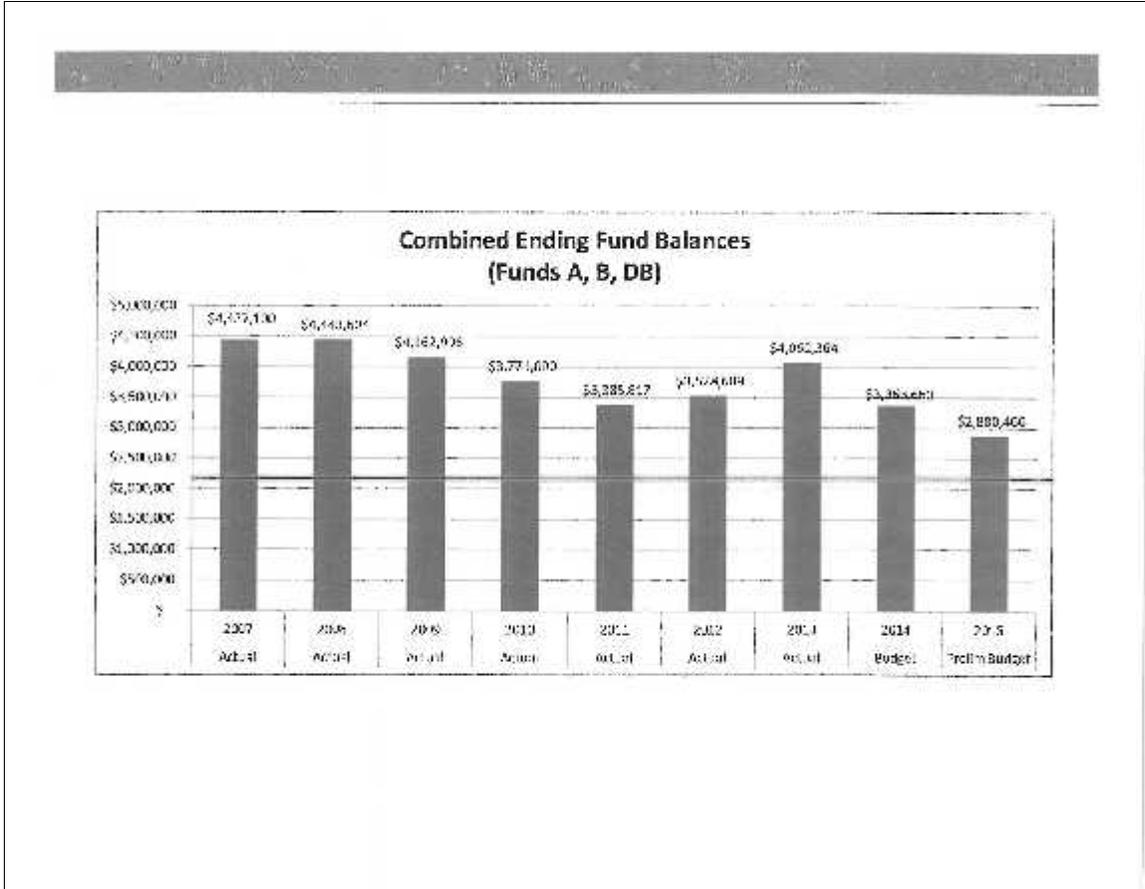
Jim Rowley said this slide is the effect on the Tax Rate on the General Funds; so a person living outside the village will pay the combined rate on these (3) funds of almost \$3.70 per thousand of assessed value; that has increased 12.67%. This is down from the preliminary budget which was a total of \$16.71 cents; so they have certainly made some progress there:

2014 FINAL BUDGET					
	Appropriations	Est Revenues	Fund Balance	Tax Amount	2014 Rate
General	\$ 3,883,587	\$ 1,300,620	\$ 514,881	\$ 1,487,988	\$0.6072
Gen Outside Village	\$ 3,089,879	\$ 485,795	\$ 105,751	\$ 2,556,813	\$1.3887
Highway	\$ 3,571,634	\$ 372,200	\$ 276,972	\$ 3,422,492	\$1.6246
TOTALS	\$ 9,995,100	\$ 2,130,115	\$ 688,704	\$ 7,147,281	\$3.5705

Taxable Assessment		2014	2015	% change
Part Town		\$1,593,994,767	\$1,595,657,099	0.55%
Village		\$ 154,422,738	\$ 109,843,520	0.45%
Town Wide		\$ 2,068,417,758	\$ 2,130,540,629	0.59%

2015 AMENDED PRELIMINARY BUDGET								
	Appropriations	Est Revenues	Fund Balance	Tax Amount	2015 Rate	2014 Rate	Increase	%
General	\$ 2,876,118	\$ 1,228,670	\$ 25,000	\$ 1,448,288	\$0.5971	\$0.6072	\$0.0095	1.56%
Gen Outside Village	\$ 3,152,550	\$ 445,686	\$ 80,179	\$ 2,691,725	\$1.3157	\$1.3887	\$0.0070	2.09%
Highway	\$ 3,450,300	\$ 357,001	\$ 200,000	\$ 3,253,308	\$1.5925	\$1.6246	\$0.0017	1.35%
TOTALS	\$ 9,979,977	\$ 2,098,107	\$ 465,194	\$ 6,442,701	\$3.4961	\$3.5705	\$0.1275	3.57%
		0.24%			4.37%			

Jim Rowley said this page is the effect on his Fund Balance graph again. He pointed to the dark line in the middle and said the line there is sort of what his representation is - the line in sand that he wouldn't want to see the Town to cross in terms of going below in terms of available fund balance. It represents about 20% of the overall fund balances combined for three funds up there, the A Fund, the B Fund, and the DB Fund, in his estimation you wouldn't want to go below that. They did the last preliminary budget number, that increased by \$281,000, so we reduced the impact on this going forward:



Jim Rowley said the final slide is just the Tax Cap Calculation. You can see where we were in 2014, where we would be if we were at the cap in 2015. Right now this budget is slightly over the cap; the overall tax increase including special districts is 2.94%. The combined levy from the General Fund and Special Districts is almost \$344,000; just north of \$107,000 over the cap with this amended budget on the table right now.

Tax Cap Calculation	2014	2015	
	Final	At Cap	Amended
Adopted 201 Levy (all funds)	\$ 11,480,726	\$ 11,713,302	\$ 11,713,302
Tax Base Growth Factor	1.0038	1.004	1.004
Sub Total	\$ 11,524,353	\$ 11,780,155	\$ 11,780,155
PILOTS Receivable 12/31/14	\$ 64,555	\$ 67,982	\$ 67,982
Sub Total	\$ 11,588,908	\$ 11,828,137	\$ 11,828,137
Allowable Levy Limit Growth F:	1.0166	1.0156	1.0246
Sub Total	\$ 11,781,284	\$ 12,012,656	\$ 12,119,410
PILOTS Receivable 12/31/15	\$ (67,982)	\$ (62,244)	\$ (62,244)
Carryover from 12/31/14			
Levy Limit before exclusions	\$ 11,713,302	\$ 11,950,412	\$ 12,057,166
Pension Exclusion - none	\$ -		
Final Levy Limit	\$ 11,713,302	\$ 11,950,412	\$ 12,057,166
	2.0%	2.0%	2.9%
Additional Levy		\$ 237,110	\$ 343,864
Over Cap			\$ 106,754
		Special Dist. Levy	\$ 4,804,890
		General Funds Levy	\$ 7,432,276
		Total Levy	\$ 12,057,166

Supervisor Zambrano solicited any questions or comments from the Board about the budget.

Councilor Becallo said he wanted to read the budget that he brought to the table again; there were no minutes at the meeting that he proposed his budget at; he put it in the record for the last meeting. His proposed budget:

- was returned to last year's 2013 adopted budget amounts for all departments
- Spending reduction equals \$910,000 (this was just one year)
- By eliminating 5 additional areas of unnecessary spending an additional \$53,000 is saved = total savings of \$963,103
- All of this done without cutting Town services
- His goal is to save \$1,000,000 in reduced spending, and he believes together, we can find another \$36,897.
- Eliminate the position of Budget Officer; we have a Comptroller who is hired to do this work. (Stop duplication of services) = \$8,000 savings
- Eliminating unnecessary Legal costs \$20,000 for union negotiations and \$10,000 for Town Code. These two items should be put into the retainer and put town lawyer out to bid, also in the retainer should be the Ethics investigation
- Cutting \$5,000 in Codes overtime + \$2,400 for taking town vehicles home at night (he appreciates that the Town vehicles is on this agenda, by why after the budget talk; it makes no sense)
- Cutting Town Board salary by \$5,000 (which would be \$1250, he wished to keep his reduction of \$1200 and he gives it to Parks & Recreation for the new park we have for the community with people with disabilities) he implored the Board to do that

- Eliminating the position of Director of Code Enforcement, which was only filled in November 2013 – Lack of economic development cannot justify this position. \$62,500 included in rolling back to 2013 Budget – at the last meeting he was told that this could not happen. He read a letter to Wayne Dean who was the Director of Planning & Development, for the department of Planning and Zoning dated January 6, 2012:

With regret I must inform that because of the present fiscal problems of the Town of Cicero government, many budgetary cutbacks have become necessary. Unfortunately, your position was abolished per the January 4, 2012 Organizational Meeting and due to your seniority rank you will have to be laid off. Your last day of work is proposed to be January 14, 2012 subject to further legislative action. If this date should change you will be notified in a future letter.

Councilor Becallo mentioned some other areas to look at for reduced spending:

- 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 (which we got plenty of; he appreciates it)
- Town Attorney out to bid with new retainer
- Put Cornell Roads Program under direct control of Highway Superintendent
- The rates increase for Excellus health plan will increase 13% for the 2015 Budget, but the budget needs to be reconciled regarding health insurance. It's a major item, which is 10% of the Budget. These numbers don't jive; the actual total numbers for health insurance have gone down. It doesn't make any sense to him, we've gone up 13% but our overall budgeted item for health insurance went down 4%.

Supervisor Zambrano asked Jim Rowley to speak to Councilor Becallo's comments on the health insurance.

Councilor Becallo told Supervisor Zambrano it was her budget and he wanted her to answer it.

Supervisor Zambrano told Councilor Becallo he was out of order.

Jim Rowley explained that there were assumptions made in who is taking family coverage v. single coverage; there are changes along those lines. There are assumptions in there about the Obama Care Tax, etc., probably somewhere from 3 to 5 percent of the increase is attributable to that. but they still don't know for sure so that is part of the adjustments as well, going forward.

Councilor Becallo asked Jim Rowley how he justifies a 4% reduction when it's going up. He said they are not budgeting for reality.

Jim Rowley said they were. They were budgeting conservatively.

Supervisor Zambrano explained that there were a number of employees that don't take healthcare benefits: it's never a precise number, some take single, some take family coverage and some don't take coverage at all.

Councilor Becallo said it's going up 13% overall.

(tape change)

Supervisor Zambrano solicited any further comments from the Board.

Deputy Supervisor Burtis said he would be comfortable taking this Town Board back to the adopted Budget of 2013 for their salary; he was comfortable with that.

Councilor Venesky said you have to look at the future; it's not just today. So, if you are going to attract people with talent you have to compensate them for their time. There has to be some incentive even if it's a small incentive because not everyone is going to necessarily have the luxury of investing the time that is invested and want to do it for free, so just to cover costs and whatever, and to attract people he thinks you have to put a value to the time and the effort that they spend. He said if you take a look at what those dollars are and you take a look at the total Town budget you are looking at \$6,000.00. Six thousand dollars is really not a lot of money when you take a look at what they have on the table, and that includes not only the Board, that includes every other person here as well that is working for the Town of Cicero. He has run operations, and he has looked at the effort that the department heads and the non-unionized people are putting into this job and there is a value to attitude and if you have people who come to work with good attitudes then they do a good job and if your people come to work with a lousy attitude then you get what you pay for. The \$6,000 for the salary increases for the non-unionized people in this town, to him, is a good investment.

Supervisor Zambrano said in 2013 the Town Board made a decision that they would rectify the lack of 2% increases for the non-union employees; this had become a moral issue which is why the Town Board at the time took the action to get everyone up to par; they would be going backwards if we started again denying the non-union people the two percent that the collective bargaining employees get. One of the things that hasn't been said, but which is part of our strategy going forward is to speak with/negotiate with the three unions to see if we can realize some kinds of savings; we are hoping that they will partner with us and recognize the fiscal challenges that we have and that we will negotiate some savings so we can make this budget.

Councilor Becallo said the cuts in this budget aren't real cuts; they've been incorporated with the preliminary budget. This budget is exceeding the tax cap, and since the Board did not honor his salary he again asked them to please remove his \$1250 for the Parks & Recreation wheelchair accessibility for the new park up in Brewerton. He said also noteworthy was these budget cuts were made off of a preliminary budget that had 11.5% spending increases, so these cuts aren't real cuts - they're cuts off an inflated budget. He told everyone to remember that this Board plans on going out to borrow for roads, so he just wanted everyone to know that there is going to be another hit.

Councilor Venesky asked Councilor Becallo if he was a member of this Board.

Councilor Becallo said he is a member of this Board. He said he offered a budget that...he didn't see Supervisor Zambrano's budget until he walked in but he didn't complain - he came here to work. He said he speaks in factual information and he gets back the fact that he's ignorant and he doesn't know what he is talking about.

Deputy Supervisor Burtis told him if he'd like to give the pay increase he gets to Parks and Recreation then he could do it after it is taxed.

2015 Special Districts Budget:

Supervisor Zambrano moved the adoption of a resolution approving and adopting the proposed 2015 Special Districts Budget for the Town of Cicero. Motion was seconded by Deputy Supervisor Burtis.

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

Councilor Becallo said he abstained due to a conflict of interest.

2015 Fire Protection Budget:

Deputy Supervisor Burtis moved the adoption of a resolution approving and adopting the proposed 2015 Fire Protection Budget for the Town of Cicero. Motion was seconded by Supervisor Zambrano.

Ayes - 4 and Abstained -1. *Motion carried.* Councilor Becallo said he abstained due to a conflict of interest.

Amend the 2015 Preliminary Budget for the Town of Cicero as specified in Addendum A:

Supervisor Zambrano moved the adoption of a resolution to amend the 2015 Preliminary Budget for the Town of Cicero as specified in Addendum A. Motion was seconded by Deputy Supervisor Burtis.

Ayes - 4 and Noes- 1. *Motion carried.* Councilor Becallo said he was opposed because all the reasons he stated above.

Approve and adopt the proposed Town of Cicero's 2015 Adopted Budget:

Supervisor Zambrano moved the adoption of a resolution approving and adopting the proposed Town of Cicero's 2015 Adopted Budget. Motion was seconded by Deputy Supervisor Burtis.

Councilor Becallo called for a roll call vote which resulted as follows:

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

Ayes - 4 and Noes-1. *Motion carried.* Councilor Becallo voting no stating it was due to everything he stated above.

Supervisor Zambrano thanked everyone for their hard work. She acknowledged the particular intensive efforts by Councilor Venesky in going through this budget with the department heads and with our comptroller, as well as with Mr. Burtis and Mr. Conway. She said Councilor Becallo is upset that we did not give consideration to the proposals that he made.

Councilor Becallo told Supervisor Zambrano not to speak for him.

Supervisor Zambrano said she was speaking for herself. She said they need to work as a group and they continue to have an outlier with discussions about the budget and trying some resolutions. She said she was sorry that all members weren't as participant in the process that the rest of the members were comfortable with.

Councilor Becallo said in a budget that is a fallacy, like this one, he does not want to participate with the rest of this board.

Supervisor Zambrano thanked Jim Rowley for all his efforts.

The 2015 Preliminary Budget with the modifications in Addendum A, which was adopted is available on the Town's website: www.ciceronewyork.net or a hard copy is available for review in the Town Clerk's office, or by clicking on the icon below:



The Preliminary Budget as approved becomes the 2015 Final Budget per Town Law.

ENGINEERING SERVICES:

Supervisor Zambrano said at the last town board meeting they approved O'Brien & Gere to take on the functions of Town Engineer. They did have the opportunity to sit down and discuss some of the terms and how we would go forward to provide engineering services.

Supervisor Zambrano introduced Mark Parrish, Managing Engineer and Stephen Snell, O'Brien & Gere, Town Engineer.

Mark Parrish thanked the Board for appointing O'Brien & Gere; they look forward to working with the Town.

Public Input:

Tom Beaulieu had wanted to comment on the Town hiring a new engineering firm to replace C&S Engineers. He was not very pleased when it became an issue that in order to somehow deal with the Supervisor situation we needed to fire the Town engineers; he doesn't think they accomplish anything by escalating a conflict that way. The reason he objects to the hiring of O'Brien & Gere Engineers is over several years we had some issues with drainage problems in this town as they are all aware of. We had professional engineers sign off on these plans saying that everything was good and the water actually flowed downhill when in fact we had to go in there and spend a couple-hundred thousand dollars of our money to fix problems that should have never happened in the first place, and turn around and hire the same people back. He thinks that's a mistake that this town board is making and he hopes we don't have to repeat it because when they come to him and ask him to pay for drainage problems again he is not giving them the money.

Don Snyder said he read the contract that was part of our backup information that was on the website for O'Brien & Gere. He was looking at payment information and also information that we might get in the way of information from O'Brien & Gere when they submit their bills; that's not there but he is sure they will take care of that. What he did see is that labor will be charged on an hourly basis, or incremental thereof; basis of salary costs times (x) a multiplier of 2.3. He wants people to realize here, for example: the engineer, \$160.00/hour if he works 2040 hours, (which is 40 hours a week for 52 weeks) that's a pay of \$326,400 a year; that's the basis on what we are being charged. And then, he believes if he reads it right we are actually going to get charged at \$160.00/hour x 2.3 *or* we are going to get charged \$368.00/per hour for every hour an engineer spends working at the Town of Cicero and if that's the case then we are crazy. He said we can't possibly sit here and justify spending what would equal \$326,000 (granted we are getting it proportional), but usually its \$100 as hour.

Mark Parrish said they have (3) three agreements that the Board considered for approval. The first is the Master Professional Services Agreement, which essentially just outlines the general terms and conditions between the Town and O'Brien & Gere. It does include the proposed method of payment that was just discussed briefly. The \$160/per hour is the maximum rate that the Town will be invoiced, it will not be multiplied by 2.3 (that's the maximum hourly rate). The 2.3 x the salary cost is relative to the non-capped rates that will be charged and included with the retainer fee services are some typical rates for the staff that is anticipated to be used for the project. This is a general agreement between the Town and his office, it doesn't authorize any specific work, all it does is really set up the terms behind future authorizations (the next two would be examples of those authorizations).

Supervisor Zambrano solicited any questions from the Board about the master agreement or the intent of it.

Councilor Venesky said he was concerned with the multiplier. He said he doesn't like multipliers and asked Mark Parrish if it was correct that he said that this would apply only to the non-capped rates that he sees on exhibit C.

Mark Parrish gave an example: if you were to take his salary costs and multiply it by 2.3 it's going to come out over \$160/hour but they we will only be charging the Town of Cicero, for his services, \$160/hour. For Mr. Snell's services, if you were to take 2.3 (x) his salary costs, he thinks in the retainer services they show an approximate cost of \$120.00 hour, but that is not capped because they (O'Brien & Gere) don't go above the \$160/hour; so for Mr. Snell's rate they will be getting charged, roughly, \$120/hour with that multiplier. He said that Deputy Supervisor Burtis had asked for this and it's a good idea so you can see what that translates into for the typical staff that will be used for that project (so that multiplier was utilized to come up with the rates that are in the retainer agreement; so you could see what those typical rates would come out to be for the staff who would be used for a majority of work for the town).

Supervisor Zambrano asked Mark Parrish to correct her if she was wrong, and said that most of the work would be done under the guise of an agreement; a retainer/an agreement.

Mark Parrish said that was correct.

Supervisor Zambrano said so the Town won't have any unexpected engineering services; if there is some engineering work that we need done outside of the retainer, O'Brien & Gere will provide us an estimate and then the Board would vote on it; so they are not agreeing to some type of open checkbook situation here.

Mark Parrish replied not at all. They will be given proposals for any work or they will authorize it through a task or a work order before O'Brien & Gere will perform it and typically, they will give them a cost estimate for that work before they perform it; the retainer agreement, the sewer agreement and the roof investigations are another example of how they would perform the work underneath this Master Professional Services Agreement.

Supervisor Zambrano said they would be having further discussions about a highway department agreement and the drainage agreement, so most of the work will be done under the auspices of these various agreements (she just wanted to dispel the idea that somehow there are going to be huge costs, all of the expenses for engineering will be either through the agreement or prior approved by the Board).

Deputy Supervisor Burtis said the hourly rate given to us for an:

- Engineer I is about \$80.00
- Engineer II is about \$100.00
- Engineer III is about \$120.00
- Principal of Project Managers is up around \$160.00

Deputy Supervisor Burtis said that's roughly what O'Brien & Gere gave us for estimates and he thought it was important for us to see that. He told Mark Parrish that in light of the invoices, or the backup that we are intent on getting (and they like a lot of detail, a lot of backup) so they would like to probably see what O'Brien & Gere would like to do as soon as they can; just this rate schedule is not going to be enough as far as who is going to be on the job, etc. and that's going to need to be a continuing discussion on how much content we can get.

Mark Parrish said O'Brien & Gere would certainly work with them on that; the invoices they get will enumerate the people who are doing the work, the number of hours that they spent on it and it will provide descriptions of the work that was completed. They will review those and if they find that they aren't sufficient than they will work with the Town to make sure that they are getting the information that they need.

Councilor Venesky again said that he was still not comfortable with a 2.3 percent multiplier.

Mark Parrish explained that is not what the person is being paid; it is what the Town of Cicero would be invoiced for.

Councilor Venesky said if a person works 1 hour and the value of her work is \$75/hr., but if she works half an hour than he is looking at paying her about \$37.50/hr that he is looking to pay O'Brien & Gere for that time; he is not looking for a multiplier.

Mark Parrish explained that O'Brien & Gere will invoice at ¼ hour increments, so if 15 minutes is spent on a particular project the Town will get billed at ¼ of that \$75.00/hr. rate. Most of the work that they will perform for the Town will be typically on an hourly basis, so they only are being invoiced for the time that is spent on the project times the rate they have given.

Councilor Venesky said he isn't seeing that; the increments he understands but then they are saying basis of salary cost times a multiplier of 2.3.

Mark Parrish explained that the salary cost was not listed in the schedule Councilor Venesky was talking about, that was the approximate rate.

Supervisor Zambrano asked if it was correct that no work would be billed without the Board knowing about it; either it's covered by the retainer or by an authorization to proceed based on estimated costs.

Mark Parrish said that was correct, all this Master Professional Services Agreement outlines the terms and conditions between us, so it has the insurance that they are carrying, payment terms, change in scopes, etc, and those types of things; it is setting up a payment basis for O'Brien & Gere to do so, so they don't need to do every time they come in and ask for an authorization for work or the town requests some services from them.

Resolution approving Master Professional Services Agreement:

Supervisor Zambrano moved the adoption of a resolution approving the proposed Master Professional Services Agreement with incorporated General Terms and Conditions between the Town of Cicero and O'Brien & Gere Engineers, Inc. for the performance of professional engineering services to the Town of Cicero, and authorizing the Supervisor to execute same on behalf of the Town. Motion was seconded by Deputy Supervisor Burtis.

Ayes - 4 and Noes- 1. *Motion carried.* Councilor Becallo opposed. He stated he did not approve of O'Brien & Gere as the Town Engineers at the last meeting so he doesn't approve now.

Approve engineering services provided by O'Brien & Gere Engineers

Mark Parrish said this was the retainer services agreement and the scope of services that are in it is essentially identical to the scope of services underneath the previous retainer agreement with the previous engineer. They are proposing to do those services for \$24,960.00 to be billed on a monthly basis next year and for November and December of this year they are asking for \$2,070.00 per month which is being consistent with what was budgeted; they reviewed the scope of services with the Supervisor (and the Deputy Supervisor) and found that this was consistent with the previous agreements and also the budget amount for next year relative to the amount that was budgeted for those services.

Supervisor Zambrano solicited any questions from the Board.

Deputy Supervisor Burtis asked with this resolution if they were agreeing to use O'Brien & Gere for next year as well.

Mark Parrish said that was correct.

Councilor Venesky moved the adoption of a resolution approving engineering services provided by O'Brien & Gere Engineers with an annual retainer fee of \$24,960.00 for 2015, and at a rate of \$2,070.00 per month for the period November 12, 2014 through December 31, 2014 and authorizing the Supervisor to execute the same on the behalf of the Town. Motion was seconded by Councilor Conway.

Ayes - 4 and Noes- 1. *Motion carried.* Councilor Becallo opposed. He stated he did not approve of O'Brien & Gere as the Town Engineers at the last meeting so he doesn't approve now.

Approve sanitary sewer improvement and repair services provided by O'Brien & Gere Engineers:

Mark Parrish said this service is needed to oversee the emergency repairs that might be needed on the sanitary sewer system. They have attached the scope of services that explains what they will do; it is very similar to the one that was used with the previous engineer. The one exception he

wanted to note is that they did remove a set of scope of services related to the infiltration and inflow program with the Town; they are going to be reviewing that program and determining what the status of it is and the services may or may not be needed next year so they chose not to include them now, if they do find that they are needed again they will come back with a separate agreement, explain what it is that's required and give them a budget for that. They've estimated a budget for next year, a total fee, and again this will only be charged as needed, this is not similar to the retainer, this is only going to be charged for work actually done; they've estimated \$8,000.00 and again that's consistent with the previous engineer.

Deputy Supervisor Burtis asked Mark Parrish if he thought that was good for about 6 repairs.

Mark Parrish said yes, and they noted in there that that's based on a typical repair as they've come to understand them; they've had situations where there has been more involved repairs that take a longer period of time, so in that case they might only get (4) repairs for \$8,000.00. If they need to go to over the \$8000 they would come before the Board and explain why that is needed.

Councilor Conway moved the adoption of a resolution to approve Sanitary Sewer Improvements and Repair Service provided by O'Brien & Gere Engineering for up to six repairs per year, at an estimated cost not to exceed \$8,000.00 per year, without additional authorization, for the period January 1, 2015 through December 31, 2015, and authorizing the Supervisor to execute same on behalf of the Town.. Motion was seconded by Supervisor Zambrano.

Ayes - 4 and Noes- 1. *Motion carried.* Councilor Becallo opposed. He stated he did not approve of O'Brien & Gere as the Town Engineers at the last meeting so he doesn't approve now.

Deputy Supervisor Burtis said people are going to say what they've said about our history and talk about invoicing and things like that but they are working with this board now and they are going to work hard to work together, but they will need that detail, a lot of openness and a lot of communication and he appreciates O'Brien & Gere coming back to Cicero.

HIGHWAY DEPARTMENT ROOF INVESTIGATION:

Supervisor Zambrano said they have had a number of concerns about the Highway Department roof. Chris Woznica has been trying to get the attention of the Board on this issue for a number of years and this Board has decided that they better take a look at it so they did ask O'Brien & Gere, as the newly appointed Town Engineer, to make a proposal about assessing that roof and making some recommendations on how to best address it. She asked Mark Parrish to speak about the proposal.

Mark Parrish said that they had one of their architectural staff go out and meet with Chris Woznica to look at the roof and get an idea of what the problems may be or what the problems are and they have come back and suggested a scope of services which essentially includes another more thorough site visit and also a review of background documents on the roof, including the warranty for the roof and then after doing that, put together a letter report and a plan that documents that review and provides an assessment of the condition of the roof and ultimately come back with some recommendations for the repair modifications or the repair of the roof based on the results of the study and they will have a cost estimate that will be included with that so the Board is aware of the potential costs for the recommendations. They would give that to the Board and then they would decide what the next step would be with the Board at that point. They put forth a not to exceed cost of \$3,750.00 for this study; they will be charged on an hourly basis.

Councilor Venesky told Mark Parrish, to give him a little history on the roof that Vern Conway went out and priced it because this Board understands that we have a problem with this roof; it's been an ongoing problem for years and a decision was made that they were finally going to do something with it. Vern Conway went out and solicited bids to have that roof repaired; one that they were prepared to authorize was \$54,000. What he learned was, subsequently, is that when you are dealing with a government building there is a lot of regulations.

Councilor Conway said so what they came up with is anything that is bid over \$35,000 you have to pay the fee to have an engineer come in because the building might fall down so this is how we ended up having to spend this kind of money; he was very opposed to it but that's a government regulation.

Councilor Venesky said there was nothing that they could do, but they do have a vendor that has agreed to replace the roof. He told Mark Parrish that they learned that there was a warranty on that roof and when his company was overseeing the town years ago they had overseen it. The

Board would like it if we could take advantage of whatever warranty might be there and have O'Brien & Gere make a determination for us on that.

Mark Parrish said the Supervisor had contacted him and asked him to look through their records a few weeks ago and he was able to provide her with a copy of the warranty; so they do have the warranty and they will definitely be taking a look at it to see if there is any recourse to get anything from that.

Councilor Becallo asked if they have to have an engineer come in and look. They have to do this investigation or can they just look at the bids and advise us what is best? Do they really have to go up and do an investigation on a roof that is already bad?

Councilor Venesky said it was an eye-opener for him because he was ready to take a vote on putting the roof on a couple of meetings ago and Andrew Trombley had told him this is government, we can't do that

Councilor Becallo said he would like to table the issue so he can look into it.

Supervisor Zambrano asked Councilor Becallo to look into what, that we need an assessment of the roof. She didn't think there was anything to look into, that the law was pretty clear.

Mark Parrish said he didn't want to give an opinion on it because he really didn't know.

Councilor Becallo told Mark Parrish if he was advising them of that then he thought we should table it.

Mark Parrish said he believes the Supervisor and the Town Board wouldn't have asked for this unless they determined that it was necessary; Councilor Conway expressed his opinion that he did not want to do this but he is certainly satisfied that it needs to be done. He said we are losing time to get this done but that is up to the Board.

Supervisor Zambrano told Mr. Germain that she thought they needed a legal opinion; her understanding of the statute is that it's quite clear, the estimate that we got was certainly over \$35,000 and we are talking about the structural soundness of a public building.

Robert Germain said that part was definitely clear; it is state law that if it's over \$35,000 then it has to go out, but the other issue here is on the warranty. The only way to determine whether it's covered or not under the warranty, or what's covered, you have to figure out why the roof failed or what failed there, which honestly he had no idea; he can't answer that question without the roof being inspected and have an opinion on why.

Councilor Becallo said shouldn't they see if that's covered under the warranty and investigation of what failed.

Deputy Supervisor Burtis said that's what they are trying to do.

Councilor Becallo asked if we were going to have to pay for that if that's under the warranty as well.

Robert Germain said yes. You have to figure out why it failed before you can make, in his estimation, a warranty claim.

Councilor Conway said we had three bids on the roof and \$52,000 was the cheapest, the next bid was \$82,000 and that was to put a new roof on and no insulation, and the third bid was \$94,000 that was putting 2 inch insulation on the roof and to put a new roof on. He had somebody call for him to get bids on the roof and he couldn't get any of the big roofers to come out because they were all too busy to give us another bid.

Supervisor Zambrano said somebody made the point that we are running out of weather here to get something done, so she thinks we need to act on this timely if we are going to do this.

Deputy Supervisor Burtis said what is the time frame to get this accomplished, do they have any estimate

Mark Parrish said they would certainly be able to get them the report back a week prior to the next Board meeting which is December 10th, so they would have some time to consider and they may need to take further action at that board meeting.

Deputy Supervisor Burtis said he thinks we need a different opinion, besides the contractor who put it up, on why it failed.

Deputy Supervisor Burtis moved the adoption of a resolution to approve O'Brien & Gere Engineers to complete an investigation of the condition of the Highway garage roof, per the terms stated in the Letter of Authorization, dated November 7, 2014, at a rate not to exceed \$3,750.00 and authorize the Supervisor to execute the same on behalf of the Town. Motion was seconded by Councilor Conway.

Ayes - 4 and Noes- 1. *Motion carried.* Councilor Becallo opposed, stating he was not comfortable approving this.

ZONE CHANGE:

Hal Romans from Ianuzi & Romans Land Surveying, P.C. gave an overview of the zone change, he said this is Nice N Easy; it is located on Bartell Road at the corner of Kathan Road in Brewerton. Currently, right now, there are two parcels that they are looking at; they have two different zonings at the moment, most of it right now is general commercial and there is a triangle piece to the southwest that use to be part of that residential subdivision, it is currently R10 and right now they'd like to make it general commercial, which would match the rest of the surrounding parcels. There's about half an acre of R10 right now.

(tape change)

Supervisor Zambrano solicited any questions from the Board. There were none.

Set public hearing date for December 10, 2014 at 6:30 p.m. to consider a Zone Change from R-10 Residential District to General Commercial (GC) for the property located at 5565 Bartel Road, Cicero, Tax Map Numbers 109.01-03-1.1 & part of 109.01-03-12.0:

Supervisor Zambrano moved the adoption of a resolution to set a Public Hearing for December 10, 2014 at 6:30 p.m. at Cicero Town Hall, 8236 Brewerton Road, Cicero to consider a Zone Change from R-10 Residential District to General Commercial (GC) for the property located at 5565 Bartel Road, Cicero, Tax Map Numbers 109.01-03-1.1 & part of 109.01-03-12.0.

Motion was seconded by Councilor Conway.

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

PERSONNEL MATTERS:

Hire Juliana Daniel as a Recreation Attendant:

Councilor Becallo moved the adoption of a resolution to approve the hiring of Juliana Daniel as a Recreation Attendant for Fall/Winter/Spring Programs at a pay rate of \$8.00/hour, effective December 5, 2014. Motion was seconded by Deputy Supervisor Burtis.

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

DRAINAGE:

Remove three (3) Poplar trees and stumps in a drainage swale behind a house located at 6127 Leslieanne Path, Cicero:

Councilor Conway moved the adoption of a resolution to approve \$2,900.00 to Lumberjack Tree Service to remove three (3) Poplar trees and stumps in a drainage swale behind a house located at 6127 Leslieanne Path, Cicero. Motion was seconded by Supervisor Zambrano.

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

HIGHWAY DEPARTMENT:

Councilor Conway moved the adoption of a resolution to approve the following:

- **Put the following items up for sealed bid: ALL AS IS**
 - A. 1990 Chevrolet 4 wheel drive, 454 engine truck with dump box
 - B. Two (2) 2001 International 6-wheel dump trucks
 - C. 2004 eight foot pick-up truck sander, Honda gasoline engine with auger and stainless steel spinner
 - D. Two 1989 Ford f-9000 dump trucks diesel

Motion was seconded by Supervisor Zambrano.

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

Supervisor Zambrano said the motion was amended to reflect that the Town Clerk will receive the sealed bids until 11:00 a.m. local standard time. on Wednesday, December 3, 2014 at 11:00 a.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039. At that time the bids will be opened and read aloud.

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

Councilor Conway moved the adoption of a resolution to approve the following purchases:

- **\$2,499.00 to Five Star Equipment for payloader cab door assembly #38**
- **\$2,285.00 to Environmental Contracting & Construction Services, LLC for asbestos removal Weaver Rd. pipe**

Motion was seconded by Councilor Venesky.

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

Councilor Conway moved the adoption of a resolution to approve the additional purchases:

- **\$3,200.00 to Lumberjack Tree Service for removal of seven (7) dead trees in the town right-of-way (2 on Mud Mill Road and 5 on Beach Road)**

Motion was seconded by Supervisor Zambrano.

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

- **\$4,000.00 to 3M for sign material for street signs (film)**

Motion was seconded by Supervisor Zambrano.

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

- **\$1,200.00 to Engerbretsen Sawmill for 1200 stakes**

Motion was seconded by Supervisor Zambrano.

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

- **\$1,165.00 to Viking Cives for stainless steel threaded pipe & hose clamp assembly(truck #40)**

Motion was seconded by Supervisor Zambrano.

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

- **\$3,000.00 to Crossroads Highway for sign blanks and sign holders**

Motion was seconded by Councilor Venesky.

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

PARKS & RECREATION DEPARTMENT:

- **Accept \$3,000.00 donation from the United States Tennis Association/Eastern Region:**

Councilor Becallo moved the adoption of a resolution to accept a \$3,000.00 donation from the United States Tennis Association/Eastern Region.

Motion was seconded by Deputy Supervisor Burtis.
Ayes - 5 and Noes- 0. *Motion carried.*

- **Purchase Approvals:**

A. (6) benches for the Riverfront Revitalization Project:

Councilor Becallo moved the adoption of a resolution to approve \$7,525.00 (part of grant funds) to Denzak Recreation Design & Supply for (6) benches for the Riverfront Revitalization Project

Motion was seconded by Councilor Venesky.
Ayes - 5 and Noes- 0. *Motion carried.*

B. Large rocks to border the parking lot as a buffer to the river for Riverfront Park:

Councilor Becallo moved the adoption of a resolution to approve \$1,000.00 to Kinsella Quarries for large rocks to border the parking lot as a buffer to the river for Riverfront Park.

Motion was seconded by Councilor Conway.
Ayes - 5 and Noes- 0. *Motion carried.*

C. \$200.00 for the Holiday Dinner Party:

Councilor Becallo moved the adoption of a resolution to approve \$200.00 to the Parks & Recreation Commission for the Holiday Dinner Party.

Motion was seconded by Deputy Supervisor Burtis.
Ayes - 5 and Noes- 0. *Motion carried.*

POLICE DEPARTMENT:

- **Purchase of the 2015 Ammunition:**

Councilor Venesky moved the adoption of a resolution to approve the purchase of the 2015 ammunition in the amount of \$1905.85 to Eagle Point.

Motion was seconded by Councilor Conway.
Ayes - 5 and Noes- 0. *Motion carried.*

Supervisor Zambrano said they had several discussion items and mentioned that the Town Board would be going into Executive Session for a collective-bargaining issue after Public Input and they would not be reconvening.

DISCUSSION ITEMS:

- **Proposed changes to the Town Code relative to revised fees for permits**

Public Input:

Don Snyder said with looking at the information that was put on the website (regarding current and proposed Town fees), he is concerned. We are interested in getting people to come to this town. We are interested in small businesses to come to our town and fill a lot of the vacant buildings that are around, so he knows that we are not going to pass this tonight and that there would be other discussions. He said, for example, as he looks at this, right off the bat we show no change in fees for dogs. He knows that there are an awful lot of dogs in this town and if these fees are comparable with the other towns than that's fine, but if they are not then we ought to look at changing it because a couple dollar fee increase per dog would make a major change in our budget.

Supervisor Zambrano asked Don Snyder what he would recommend as an increase.

Don Snyder suggested a couple of dollars, for a whole year, if it was \$2.00 more per dog for each of the classifications and if they felt that they wanted to leave the seniors at the current rate he doesn't see that as a problem because the seniors that have a dog are on fixed incomes and if we can give them a break then that's a positive. He also suggested they look at the following:

- Food vendors license
- Swimming pools permits – if you put a pool in a place there was a pool and there's no grading then would the permit fee still be \$50.00
- Wood stoves, fireplaces and heaters we've gone from \$25.00 to \$150.00, but again people are putting these types of things in to save money. \$25.00 may be too little, but \$150.00 is way too much
- Electronic message board – he hopes the Town Code group doing signs says that there will be no digital message boards in the signs because there is not an electronic sign in Cicero that changes only every 15 seconds; most of them are five to 10 seconds or less. He recommended that we don't even allow electronic message boards.
- Temporary Sign permit – they say it's no longer allowed.

Councilor Venesky told Don Snyder that these were just recommendations.

Don Snyder said he knew that that was why he was just bringing it up now.

- Fire inspections – if it's just a mom and pop store \$75.00 can be a lot of money for an individual proprietor; he doesn't have a problem with the big box stores doing theirs, but they should see who it is reasonable for.

Supervisor Zambrano said her understanding is that the fire inspection has become more intensive and usually they don't find compliance the first time around so there are several visits that have to be made before they can reach compliance.

Don Snyder said with the Zoning Fees he didn't have a problem with the Area Variance. With the Use Variance they were going from \$200 to \$500; if we have a piece of property that the person is buying it would like to change its use and it would within our category that we would approve it, he would think that we are not helping them.

Supervisor Zambrano said when they started this they collected fee rates from three different towns: for Use Variance Salina is charging \$600, DeWitt is charging \$500, and Clay is charging \$400, so that's how they came up with the \$500 fee.

Don Snyder said he couldn't speak to the planning fees because he doesn't know much about it but we have to make sure that the number we are asking the people to pay to get work done or be reviewed by the Planning Board or the ZBA is not going to scare them away from our town; we want people to come here.

Councilor Venesky asked Don Snyder what his issue was with the Food Vendor.

Don Snyder said we used to have a 180 day permit, so if we had a food vendor that wanted to come here that person would no longer be able to get it for \$200.00. He would have to get a 30 day license, \$250.00 a whack times 3; that would be \$750 as opposed to paying this year \$200.00.

Councilor Venesky said nothing has been decided, and a lot of questions have been asked, but if we want to support established businesses and restaurants that are here, as opposed to allowing somebody to come in for an event, for example, and setting up a hot dog or sausage cart (he wants them to go to the people who are paying the taxes here and paying a payroll). He wants the people who are employing people and paying taxes in this town; he wants their businesses patronized first.

Don Snyder told Councilor Venesky one of the ways to do that would be to have the fee be a \$0 for any food vendor that's setting up for an event that's a vendor in our town. But if someone was not a member of our community then there should be a fee for them.

Mr. Rizzo said that the local diners were paying a lot of taxes, he talked to quite a few of the restaurant owners and there are these fly-by-nights that come in here and yet you have temporary vendors and they are taking away from the businesses that are here 365 days a year and support the community.

Deputy Supervisor Burtis asked Mr. Rizzo if he would be for higher fees.

Mr. Rizzo said no. They just don't want to see them, because our businesses are here 365 days a year, during the slow times and good times, and these vendors come in from out of town. We have a lot more rules and regulations and have to jump through a lot of hoops to stay in business; a lot of our businesses here are talking and they are watching.

Councilor Venesky told Mr. Rizzo that the whole purpose of jacking the fee to \$250 was to steer potential customers into establishments like his as opposed to allowing them to come into town and for \$50.00 sell hot dogs from under him.

Supervisor Zambrano said they have been working on these fees all year and the group included Gary Natali, Bob Smith, Tracy Cosilmon, Richard Hooper and Vern Conway, as well as herself; and she doesn't think that it has always been a cohesive group. These are proposed fee changes and most of them are increases; there was a feeling that a lot of the fees were not up to par in comparison with our neighbors and that we should raise the fees a little bit. But her particular question is how the Board wants to proceed, she thinks that there is still some work that needs to be done on this and they need to work with the Town Attorney, and do a local law at some point and time, and they'll need to have public hearings.

Councilor Venesky asked Robert Germain if the Board has the authority to act on a cut and fill permit. Do they have to take the whole proposal and vote on it or can we slice it and dice it.

Robert Germain said if they were talking about changing a local law they have to do that by local law process and call a public hearing; they can make specific recommendations of what they want changed.

Supervisor Zambrano explained that these are different sections of the code, so it would be a local law if they were going to make multiple changes to different sections; they could do all of them or some of them.

Councilor Venesky said the previous board passed a local law calling for a Cut & Fill Permit, and we had instances where people would bring in truck load after truck load of fill and when he was knocking on doors there was a lot of angry people who ended up with flooded back yards because there was no process to control the drainage or have some sort of Town control over the drainage process. His understanding is that the previous board then, said okay lets adopt a cut and fill permit so that it's looked at so that we are not filling in wetlands and we are not causing harm to the neighbors and what they want to do. We have been issuing Cut & Fill permits without a fee, and asked if they could act on that tonight because we are issuing these things at no costs.

Supervisor Zambrano asked the Board how they would like to proceed, do they need a committee of two here to review these and further refine them, make further changes with the specific recommendations to the Board. These things have been hanging around and it's a little bit complex so they need to act one way or the other at least to start the process.

Councilor Venesky said his understanding was that a lot of these fees were looked at. He had spoken to Mr. Hooper about it and his feeling was that he wants a business-friendly environment in the Town of Cicero and doesn't want to price us out of the market. His understanding is that these fees are in line with the other towns but he would like to at least have a discussion, or however they want to do it, about what the fees should be. To Mr. Russo's point and

Mr. Snyder's point, a food vendor license, how do we want to do that? He asked the Board if they wanted to get together. Do they want to call an executive session? Do they want to do this at the next board meeting?

Councilor Conway said one of the things that they talked about was going back to the original site plans where they build houses and if they aren't what the initial plans showed we aren't going to issue Certificate of Occupancies. If they raise the property two foot and that's not what was on the site plan, and this is why we have so many problems with drainage, for example you have someone put in an in-ground pool and they don't want to take three truckloads of fill out so they push it in the swale in the back; this is why we are talking about fees is to stop this stuff. If they go back to the as-built then the person won't get a Certificate of Occupancy until it's corrected.

Supervisor Zambrano asked Councilor Venesky if he and Councilor Conway would like to have the first crack at this. She knows that he has some concerns about some of the fees and Councilor Conway has also.

Councilor Conway said he thought that if someone put a pool in we want \$1500, in which we will give them \$1000 back when it conforms.

Supervisor Zambrano said the reason is because we have had so many pool installations in which the grading and drainage issues were changed, and problems were created for neighbors.

Councilor Conway said we have to have something that will stop people from doing this. We have cut back on the drainage this year, but we've spent as much as \$400,000 on drainage and cleaning the swales.

Councilor Venesky, in regards to the upfront fees for a swimming pool, said he remembers what a financial burden it was years ago to put a pool in for his children; he thinks we can rectify that, but the Board will decide. He thinks they can do it with a permit and also with a cut & fill permit, because that is going to mandate that there be an inspector from Codes actually go there after the pool is constructed. For those folks who chose not to remove the spoils, they will be told they have to and then we can force the issue there, but he is just thinking of the upfront monies that young families would be forced to pay out of pocket.

Deputy Supervisor Burtis thought they should start a discussion, however they have one, working towards a work group so they can all sit together, but before they get there he thinks they need to have some kind of discussion; some of these are going to be hotter topics than others and everybody is probably going to disagree on many things. They should start with a work session date before they schedule a Town Board date.

Robert Germain told the councilor in his experience the best way to handle something like this is for the Board to assign a subcommittee and do it with drafts, where you have drafts of the proposed changes to the other Board members so that everybody is on the same page.

Councilor Venesky said if Councilor Conway wanted to do it, then he and Vern would look at it and get it done.

Supervisor Zambrano suggested when they have the work session that they could include other people like the Town Clerk, the chairs from the ZBA and the Planning Board, a representative from the Codes office, etc.

Supervisor Zambrano said perhaps at the December 10th meeting they would schedule a work session.

- **Proposed changes to the Town Code relative to signs ordinance**

Supervisor Zambrano said Councilor Becallo had put together a group that met a couple of times regarding signs and he had a proposal, which she hadn't had a chance to study in depth.

Councilor Becallo said the proposed changes had been submitted to the Town Board. He thanked the individuals that helped out:

Mr. Chandler
Justin Fry
Tim Kelly
Gary Rizzo
Kim's Cicero Diner
Mr. & Mrs. Sutton

Design Shop
Deborah Gardner
Computer Outlet
Rosie's Pizza
Studio 11

and anyone else he left off.

Councilor Becallo said the proposal was given out last night and everyone else hasn't had a chance to look at them yet. He told Tracy Cosilmon he would email them to her to put into the minutes as well.

Proposed changes to the Town Code relative to signs ordinance:

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Town of Cicero

Local Law No. _____ of the year 20____

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CICERO AS IT RELATES TO ADMINISTRATION AND ENFORCEMENT OF VARIOUS PROVISIONS OF THE SAID CODE ADMINISTERED AND ENFORCED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT AND TO MAKE TECHNICAL CORRECTIONS TO VARIOUS LAND USE PROVISIONS OF THE CODE.

Be it enacted by the Town Board of the Town of Cicero, in the County of Onondaga, as follows:

SECTION 1. The Code of the Town of Cicero, Sec. 210-18(A) is hereby amended to read as follows:

A. Purpose. The intent of these regulations is to protect and permit signs containing commercial and other speech which is protected by the United States Constitution and Bill of Rights, and to promote and protect public health, welfare, and safety by imposing certain regulations regarding all signs and other advertising devices in the Town.

SECTION 2. The Code of the Town of Cicero, Sec. 210-18(B) is hereby amended to read as follows:

B. Signs permitted as of right. Any person or business shall have the right to the following type of signs, provided that the conditions set forth in this section are met.

SECTION 3. The Code of the Town of Cicero, Sec. 210-18(B)(1) is hereby amended to read as follows:

All signs smaller than a certain size. All signs that are smaller than _____ shall be permitted to be installed, posted, or used as of right, without requirement for:

- a. application to the town.
- b. permission from the town.
- c. the payment of any fee to the town.

Examples of types of signs that are permitted as of right in this section are "A" frame type signs, and sandwich board type signs.

SECTION 4. The Code of the Town of Cicero, Sec. 210-18(B)(2) is hereby amended to read as follows:

All signs larger than a certain size. All signs that are larger than _____ but smaller than _____ shall be permitted as of right, but the person or business will be required to make application to the Cicero Code Enforcement Office for a permit.

a. There shall be no application fee required.

SECTION 5. The Code of the Town of Cicero, Sec. 210-18(D) "Signs permitted as of right," is hereby amended to add a new subsection (6) to read as follows:

6. Political Signs. All signs for political campaigns shall be permitted at any time of the year without limitation, and without any prohibition of when they signs may be erected, or requirement of when they must be removed.

SECTION 6. The Code of the Town of Cicero, Sec. 210-18(B) "Signs permitted as of right," is hereby amended to add a new subsection (7) to read as follows:

7. Signs which contain speech that is protected by the United States Constitution and Bill of Rights, including but not necessarily limited, to religion, political discourse, public policy issues, or speech in furtherance of the market place of ideas. All signs hereby stated shall be permitted at any time of the year without limitation.

SECTION 7. The Code of the Town of Cicero, Sec. 210-18(B) "Signs permitted as of right," is hereby amended to add a new subsection (8) to read as follows:

8. Commercial advertising, business advertising, community organization advertising, and event advertising.

SECTION 8. The Code of the Town of Cicero, Sec. 210-18(C) is hereby amended to read as follows:

No sign or type of sign shall be prohibited as a matter of law in any district.

SECTION 9. The Code of the Town of Cicero, Sec. 210-18(C) "Signs prohibited in all districts," is hereby amended and the following subsections are removed in their entirety:

Sub-sections 1, 2, 3, 4, and 5.

SECTION 10. The Code of the Town of Cicero, Sec. 210-18(D)(1) is hereby amended to read as follows:

No sign shall be closer than 5 feet to the street line, or within 5 feet of any other lot line.

SECTION 11. The Code of the Town of Cicero, Sec. 210-18(D)(1) is hereby amended to read as follows:

The total signage of any one lot shall not exceed one square foot for each lineal front foot of the building located on such lot, unless deemed allowable by the Code Enforcement Office. In calculating the total signage allowed on any lot, signs that are part of or attached to a building, shall not be considered or used in the calculation. Window signs are also permitted as of right, without the need for application or approval from the town.

SECTION 12. The Code of the Town of Cicero, Sec. 210-18(D) "General provision applicable to all signs," is hereby amended to add a new subsection (5) to read as follows:

5. All signs must be on private property, and if on private property, are hereby permitted to be in the town or other government entity right-of-way.

SECTION 13. The Code of the Town of Cicero, Sec. 210-18(D) "General provision applicable to all signs," is hereby amended to add a new subsection (6) to read as follows:

6. Signs may not be placed on telephone poles, street signs, or public property, and if any sign is so placed, said sign may be immediately removed without notice by a Cicero Code Enforcement officer.

SECTION 14. The Code of the Town of Cicero, Sec. 210-18(D) "General provision applicable to all signs," is hereby amended to add a new subsection (7) to read as follows:

7. Signs existing on or before the date this local law is enacted. All signs that are currently in existence on the date this local law is enacted, that are consistent with the terms and conditions of this Chapter, are hereby "grand-fathered" in, are permissible and legal as is, and no person or entity will be required to make application to the Sign for a sign permit, if said application would otherwise be required to be filed.

SECTION 15. The Code of the Town of Cicero, Sec. 210-18(F) "General provisions applicable to temporary signs," is hereby amended and the entire section F and all subsections contained therein are removed in their entirety:

SECTION 16. The Code of the Town of Cicero, Sec. 210-18(G)(1) is hereby amended to read as follows:

All existing free standing signs shall be included. In calculating the total signage allowed on any lot, signs that are part of or attached to a building, shall not be considered or used in the calculation. Window signs are also permitted as of right, without the need for application or approval from the town.

SECTION 17. The Code of the Town of Cicero, Sec. 210-18(H) "Permit required," is hereby amended and the entire section H is removed in its entirety.

SECTION 18. The Code of the Town of Cicero, Sec. 210-18(I) is hereby amended to read as follows:

Prior to the erection of any sign requiring a permit as required in this Chapter, the applicant shall apply to the Town Code Enforcement Office for a permit and shall include the following:

SECTION 19. The Code of the Town of Cicero, Sec. 210-18(J) "Permit procedure: temporary signs," is hereby amended and the entire section J is removed in its entirety.

SECTION 20. The Code of the Town of Cicero, Sec. 210-18(K) is hereby amended to read as follows:

K. Referral to Planning Board not permitted.

SECTION 21. The Code of the Town of Cicero, Sec. 210-18(K)(1) is hereby amended to read as follows:

The Code Enforcement Officer may not refer any application for a sign permit to the Planning Board, for any sign where the Code Enforcement Office is the department where the sign permit application is originally filed pursuant to the terms and conditions of this Chapter.

SECTION 22. The Code of the Town of Cicero, Sec. 210-18(K)(2) is hereby amended and section 210-18(K)(2) is removed in its entirety.

SECTION 23. The Code of the Town of Cicero, Sec. 210-18(K)(3) is hereby amended and section 210-18(K)(3) is removed in its entirety.

SECTION 24. The Code of the Town of Cicero, Sec. 210-18(L) is hereby amended to read as follows:

Enforcement. The Code Enforcement Officer, and any other employees of the town, is prohibited from removing any sign that is erected on private property.

SECTION 25. The Code of the Town of Cicero, Sec. 210-18(L) "Enforcement," is hereby amended to add a new subsection (1) to read as follows:

(1) If a Code Enforcement Officer believes that a sign is erected in violation of this Chapter, the Code Enforcement Office will send at least one warning notice to the operator of the property, and if the operator of the property does not remedy the alleged violation, the Code Enforcement Officer's sole remedy shall be issuing a Notice of Violation to the operator of the property.

Page 5 of 5:

SECTION 26. The Code of the Town of Cicero, Sec. 210-18(1) "Enforcement," is hereby amended to add a new subsection (2) to read as follows:

(2) If a Code Enforcement Officer believes that a sign is erected in violation of this Chapter, the only party liable for any alleged violation shall be the operator of the property, and not the owner of the property. Unless the operator of the property and the owner of the property are the same person or entity, the owner of the property shall not under any circumstance be held or alleged to be liable for the conduct of the operator of the property.

Councilor Becallo said that the next step is where they would like to go from here.

Supervisor Zambrano said she thinks that it's premature to set a public hearing as Councilor Becallo had suggested. She'd like to take a look at them and compare them against the code to see specifically what the changes are; this is actual draft language that he provided, so she thinks they need to take a little time to look at this. She asked if they needed a subcommittee of the Board on this.

Councilor Becallo said they pretty much already did.

Robert Germain said he thinks that the only thing that would be helpful on this with the draft, to include the existing code so that the Board can look at it easier.

Councilor Venesky said he did look at it, but he did have some concerns and he agrees that they should put them side by side. One thing that stuck out, which is in Section 6, and they are looking for an amendment to add a new subsection. It says:

7. Signs which contain speech that is protected by the United States Constitution and Bill of Rights, including but not necessarily limited, to religion, political discourse, public policy issues, or speech in furtherance of the market place of ideas. All signs hereby stated shall be permitted at any time of the year without limitation.

Councilor Venesky said in certain instances speech that is considered abhorrent is protected by the United States Constitution, so he is concerned about that clause because if someone wanted to put up a sign in their yard facing at a neighbor that they didn't like, and that neighbor had certain characteristics they didn't care for would a neighbor be able to put up a sign. He said these are discussions that he thinks that they need prior to anything being used here.

Councilor Becallo said the group (which consisted of private citizens and businesses), facilitated these and he thinks it would be a good idea if they could get them back at another meeting or they could have a work session where they could explain to the Board as well what their rational was/what they were thinking.

Supervisor Zambrano said the first thing they should do is get the side-by-side language; the actual code with the changes. She thinks they need to see that to see the impact of those changes.

Councilor Becallo said he would be able to do that and email it to everyone.

Deputy Supervisor Burtis said he thinks that some of the changes are very broad strokes of the pieces of the law that he knows, specifically political signs; some of those things are time bound. He thought they would need to negotiate some of them down and figure out what ones he could live with and what ones he can't.

The topic will be on the next agenda as a discussion item.

- **Consideration to schedule Town Board meetings in alternative locations**

Councilor Becallo told Supervisor Zambrano that he didn't want to take credit for this because she was the one that actually brought this up, as well as other town supervisors, but he'd like to have town board meetings at other locations around town, other than town hall. If you want to be an open government then you should go to the people; it's all about access, the locations would be North Syracuse, Bridgeport, Brewerton, or other community centers.

Deputy Supervisor Burtis, with respect to the people that were in attendance, said the meetings weren't really a popular thing to come to, but it would make sense to go out to Bridgeport and that area.

Councilor Becallo said other supervisors that he talked to said that it was very, very successful.

Councilor Venesky asked what towns were they, and how did they handle the logistics of it.

Councilor Becallo said that he needed to get more in depth, the logistics. It wouldn't be something they did every month; it would just be a couple of times a year. Tonight he just wanted to bring up the idea.

Deputy Supervisor Burtis wasn't sure if Councilor Becallo was talking about special meetings where the town hall isn't large enough.

(tape change)

Supervisor Zambrano said based on past experience it is difficult to move a meeting like this someplace else. It's an issue with power point presentations, screens, etc.

Deputy Supervisor Burtis said he is interested in it but he has a lot of concerns too; it would need to be communicated clearly with the residents.

Supervisor Zambrano said they need to consider things such as microphones, room set-up and things like that. She thinks that going out and have town meetings for special issues would be good but she's not so sure about town board meeting, but is open for discussion.

- **Employee use of Town vehicles**

Supervisor Zambrano had passed out responses from department heads about who uses town vehicles, who keeps them, etc. There are some employees who have a vehicle all of the time and most of those employees are taxed for it, as required by IRS guidelines. Other employees who use the vehicles more occasionally are not taxed and there is concern about when the vehicles are being used, for what purpose, people going out to lunch, people going out of the town with them, etc., so these are some of the issues that have come up. She also passed out something she received at the end of the day, that day, from the Comptroller's Office and it had to do with employer/provider vehicles. She said whatever it is that they do, she thinks that they need to be consistent about it and decide who is entitled to have a vehicle all of the time. The person who takes a vehicle all of the time is not taxed for it and shouldn't be taxed for it, according to the guidelines, is our Chief of Police; he is exempt from paying taxes on it. The others, she thinks, are more debatable. Our Employee Handbook speaks to this issue a little bit and we are under review of the handbook, so they would like to get the handbook finalized and we are encouraged to do that by our liability carriers.

Supervisor Zambrano went over some of the employee vehicle use:

In the Codes Office:

Mr. Procopio takes a car all the time and he does pay the taxes on it; he is taxed.

Mr. Hooper takes a car once in a while; he says three of four days a week, normally, because of his meetings and other responsibilities.

Assessor's Office:

Has a vehicle but it never goes home. An appraisal aide uses the car as part of her responsibilities.

Tax Receiver:

Does not have a vehicle

Parks & Recreation:

Has numerous vehicles but none of those vehicles go home.

Highway Department:

The Highway Superintendent and the two foreman take the vehicles home and they are all paying the taxes.

Supervisor Zambrano said if this was an issue the Board would like to review and consider further that was fine, they just needed to tell her where they were going to go with this.

Councilor Venesky said he would like to look at it. He would like them to review how the vehicles are being used when they are off property.

Supervisor Zambrano asked the Board if they would like to table the issue until the next meeting.

Some of the Board members said yes.

PUBLIC INPUT:

Don Snyder said now that we passed the budget we need to remember that most of the people have gotten a zero percent pay raise in the last 3-4 years. When we are in hard times we need to somehow get our union people, our employees of this town, to understand that it is better to have a job than to have a raise because he thinks that what we will be dealing with next year, as they deal with the contracts, is if they in fact come and ask for additional increases, do not in fact volunteer to pay for part of their healthcare costs or other expenses. They are going to have no choice but to chop some heads. He said he is not aware of any area of our town where we have people sitting around doing nothing, so he is scared that if we have to take that measure we will in fact be reducing services for our taxpayers. Three years ago we had \$650,000 in our budget for roadwork paid for by taxes collected every year. We have just now accepted a budget that has \$0 for highway roads, so what we have done for the last 3 years is rather than make the tough decisions, we said if we take the roads out of the budget we can bond for that because that's an asset and that's why we did that. And that's what we did by paying someone \$8000 a year to do our budget. We wouldn't have had that if we had someone that wasn't as close to our government as our current budget officer was; he knows all the ways of making things get done, but not necessarily get done the way we the taxpayers would like to have done. He said public safety has not been served in this town for two reasons. First, we chopped \$125,000 out of the salt budget and secondly, because we have not given our town fire department in Cicero any additional income; others got 2 or 3 percent, but we slapped Cicero's hands because they asked for 9 percent and we gave them zero. We know their budget has got to go up every year. We know they are stuck with a firehouse that is really not safe for the firefighters or those that use that facility. He said they preach that public safety is #1 but those two items show them that their number one concern is not public safety.

Councilor Venesky told Don Snyder what he was saying was not true. They were faced with a huge challenge. The majority of people that had communicated with him did not want a tax increase; that's not realistic because we had expenses go up that we could not control. Highways salt budget, Chris Woznica had proposed \$500,000 in that budget and money was removed, but if highway needs the salt and we go through that salt, Chris is going to get more salt; there isn't going to be an issue with public safety. It's a very difficult exercise to get the right balance and if they didn't get the right balance in some places then they are going to be flexible. Councilor Venesky said there is a plan moving forward and that plan is coming together for our fire departments and they understand that they can't go on the way that we've gone on but they had to do something this year to get us into 2015. He concluded that they are looking for that balance, public safety will not be an issue, and fire departments would be addressed in 2015.

Deputy Supervisor Burtis said their work on the next budget starts today and if they really want to take some of Mr. Becallo's suggestions it's going to take at least all year to get some of those things done, it cannot take one month: it's going to take a lot of conversation, a lot of work. Like Mr. Venesky said it's going to take a lot of give and take. Chris and his highway department do a great job for us and we have given him a bit of a challenge with the salt money, but it depends on the good lord and our environment here with the snow, but in his mind we have given them a challenge and asked them to do the best with the salt that we have provided to them for the year. He said they were not joking when they said this is a difficult time, this is a difficult budget and they are trying to do the best they can for the whole time.

Councilor Venesky said he thought a lot about the roads program and one of the issues that he had when they were studying the budget is people don't know what it costs, we have been borrowing money the last two years to pay for the road program and one of the areas of discussion that was not very popular was he said if we are going to pay for the road program than we need to pay for it and put it in the highway budget line. We have a serious problem with roads in this town. They didn't think it was right to continue borrowing money without letting the taxpayer know what the ramification was of that, so it was not his idea or their idea, but it was the public that came here and commented on the process that said let us decide what we spend. He feels that once people understand what it costs and they understand what we are up against here that they would be in favor of bonding for it. One of two things has to happen, we are either going to have to raise taxes and pay cash and no one wants that, or we are going to have to come up with a comprehensive and a strategic plan to keep our road programs going and a way that we can afford to do that. And that's with a referendum because there is no money in this budget for roads, so they are going to take it to the public and say what it's going to cost and people will tell them if they want the roads or how much they want roads repaired in this town. He thinks with the referendum idea that was a fair thing to do for the taxpayer; to let them know what it costs and give them a voice into how much road and at what pace that program is going to continue.

Deputy Supervisor Burtis said he has heard that from this board a few times, well if the taxpayer could just tell us what they want us to do, and he has said that that is wishful thinking; they don't have that luxury as a board, they have to make the best decision that they can. In his mind this is a first run at bringing to the people and seeing what they think.

Councilor Venesky said if you look at what we are paying to the County, if you want to see where the real villain is in all this take a look at the State of New York and take a look at what the County is charging you, because what you are paying right now in the Town of Cicero are probably a little bit less than what it's costing you to flush your toilet every day with what we are paying in sewer fees to the County. So we are trying to run an entire government here, keep the roads up, keep them plowed, keep the police department, and keep your neighborhood safe, for less money than we are paying for the sewers for the County. He said they came in with less money with this budget than the Governor himself who imposed a 2% tax cap on us.

Supervisor Zambrano said the reason we keep having the problems with paving the roads is because we lost \$600,000 in sales tax money from the County, and it is her understanding that all of that money we got from that \$600,000 went to pave the roads. So they had to make changes and that was one of the reasons.

Darlene Costick said she has been a member of the town for 62 years and wanted to say that the Cicero Highway Department has done a fantastic job in the entire years that she has been here keeping the roads clean and safe and she sincerely hopes that it is able to continue. Also, the Cicero Fire Department, they have been phenomenal. They have done a lot for the community with little; she knows this for a fact because her father and her brother were both volunteer fireman until the day they died. These men are putting their lives on the line every time that they get a call to protect you and I. As much as she doesn't want to see taxes rise because she is on a limited income herself, she would much prefer to see the highway and all the fire departments get what they need so they can continue to get what they need so they can continue to do the excellent, fantastic job that they do on giving the community all the services the fire department can. Most fireman, on most holidays, end up leaving their families to go on a fire call or a rescue call, she doubts if anyone there has actually had maybe more than one holiday that they have been able to spend with their families. The fireman give up their lives, their families suffer because of this and their family knows that every time they leave the house for a fire call they may not return and that needs to be addressed – the fact that they are not using this money frivolously, but to make it safer for them and by extension makes it safer for the entire town.

Jon Barrett said every year that he was involved coming to the budgets they used to see a power point slide of all five fire departments and he had asked about the LOSAP money, if the Cicero and the Brewerton Fire Districts are obligated to manage the LOSAP funding then why are we advertising it in the Fire Protection Districts 2015 Budget. Why is that under a special district?

Supervisor Zambrano said she thinks that LOSAP money is what his budget showed.

Jon Barrett said if this is him then it tells him that they are getting it from the protection money and the town collects the protection money not the commissioners.

John Barrett also said he was disappointed with all four of the board members for taking an increase. Councilor Venesky had mentioned that people of talent in those services or those departments deserve that increase or that raise, he told Councilor Venesky to imagine if 77 members of the Cicero Fire Department or 50 members of the South Bay Fire Department or the rest of the departments walked out, and who are the ones that have the talent? He said they (the fire departments) are doing it for free. The people of talent are the ones in the fire service that are running this town and protecting this town; whether it be any one of the fire departments for free. To say that those people deserve an increase that they just said, then we deserve an increase too. That \$6,000 if the Board would take a decrease would buy three sets of turn out gear for his crew that may not come home to their family, fighting the fire for free for you guys so they can sit on their pedestal up there and tell us every budget year on the fire district budgets that you get what you get. He told the Board he is so ticked at them. He also suggested that money could also be used for salt or bullet –proof vests.

Deborah Gardner said she doesn't know why anybody runs for public office in this day, at any level of government. For the last 5 years she has seen three different boards struggle with budgets, and she has seen fights up there. She doesn't agree with everything in this budget but wanted to thank the board for working so hard to do their best. She hopes by next year they will continue working hard for us, even if we throw rocks at you.

Judy Boyke told Councilor Venesky she knows he went line by line, she went line by line, and she knows that several other people did – they wasted their time. She said salt and paving has always been an easy way out. Having a referendum for paving is a great thing but when she asked when it was going to happen they didn't have a plan.

Councilor Venesky said it was going to happen in the first quarter; the details haven't been worked out, but that is what they decided.

Judy Boyke said at the last board meeting Councilor Venesky and Deputy Supervisor Burtis said they would check on the question that she had with the Brewerton Ambulance, she asked if both of them did that.

Councilor Venesky said no. He did not have an opportunity to reach out to Warren but he will, it's on his agenda to be done next week to set up a meeting with him.

Judy Boyke said if he googled it he would see that it says it's an operation by TLC Transportation.

Deputy Supervisor Burtis said he checked into it. He reached out to Mike and asked him for a budget, asked him about an agreement, and asked him for his financials; it took a little bit but we have them.

Judy Boyke asked where the building we purchased is. She said there isn't one.

Deputy Supervisor Burtis said he was going to get more information on the purchase agreement.

Judy Boyke said he needs to find out where the \$43,000 that belongs to the taxpayers is. She said we need an audit.

Judy Boyke said in regards to town vehicle usage, when you get in that vehicle there is a log; you fill that log out from the time you start it, you put the mileage down, where you go and stop, that address is logged in; it's very simple and there's no reason if there was an accident that our insurance company did not have actual information as to proof of the person being where they are supposed to be with the vehicle and secondly, that you have that information available and it has to be mandatory for insurance. In regards to holding meeting elsewhere you have to be ADA compliant, you have to make sure it's accessible, so they can go to the Clerk for help with it. On the budget line it says Revenue Sharing \$80,000, she asked someone to tell her what that is.

Supervisor Zambrano told Judy they would get back to her on that.

Steve Perperian said he is raising a family of four on one income and he does various jobs to make ends meet. He said he understands that the Board has to balance the budget but if they don't level the playing field for the fire protection with the fire district taxes he is going to get an increase in his taxes but the rest of the town is not; that wouldn't be fair to him. He said most taxpayers wouldn't mind if they opened it up; they can't just keep going after the people that live closest to or in the fire district.

Ron Florczykowski said he was just curious, and asked the Board if they bond for these roads that we are not putting in the budget now, we are going to be paying for it next year anyways, right?

Supervisor Zambrano said what's being discussed is a referendum, which has to pass.

Ron Florczykowski said if it passes do they have any idea how much that could raise the tax rates.

Supervisor Zambrano said they didn't know how much they were going to bond for.

Ron Florczykowski said as a taxpayer, this is very misleading to the public, doing the budget this way because he knows we need the roads repaired. He told the Board they can't keep running like this, they need to raise the taxes. He said he was sad to hear the Board members need an extra \$1200 each to like doing their job.

Ralph Howe said no one ever complains about the roads because they are done and nobody seems to think about police protection until they need it and thank god to their quick response time. The same goes for the fire department, nobody thinks of them until you need them and then seconds are precious at that point and time. What if all 500 volunteers said they quit tonight, who is going to show? What are they going to do if they know that they have to pay fireman in this town; that's another whole discussion; look at what you pay in DeWitt for a paid fire department.

Chief Barrett said he would clarify their LOSAP issue, district taxpayers when our LOSAP program started, district taxpayers approved this. The Board sat up there and told multiple people that they picked the North Syracuse lawsuit, because there was only two named in it, North Syracuse and them. They said they had to pay part of it because the Town takes ownership in it, in their budget they say they are going to take ownership in Cicero Fire Department's too, so if they are going to take ownership in Cicero Fire then they owe them \$25,000 for a lawsuit that they paid because they are claiming in their budget that they are paying Cicero Fire Department's LOSAP program.

Supervisor Zambrano said the North Syracuse LOSAP settlement was between two towns and the village and currently we have a fire protection agreement with them.

Chief Barrett said the Village of North Syracuse is the one who approved the North Syracuse program for LOSAP. Just like the Cicero Fire District approved Cicero's LOSAP program/ the district taxpayers, the Village of North Syracuse approved North Syracuse's LOSAP Program; if they claim or want to claim ownership like they are doing in their budget, but tonight they don't want to show it for some reason because they cut all of ours out and now all of a sudden they don't want to show who got what, if you want to claim ownership to all these programs then you owe us a refund in our lawsuit. Because you are claiming you're giving us \$74,000 of the money we put in our LOSAP program, and that's false. We only paid \$25,000 to 12 members so where are they getting \$120,000 to three members; he doesn't even know if they know what they are paying into.

Robert Germain said he didn't handle the lawsuit another firm did, but he watched it the whole way. The EEOC determined that as sponsor because we derived benefits of the service of the people in North Syracuse he doesn't know how many people were involved but he could get him that.

Supervisor Zambrano said there were about 10 people, she saw the list.

Chief Barrett said there was not. He went to court and was involved in the whole process from day one for a year and a half. The Town paid in and he doesn't think they know what they paid for and then to turn around and tax all the residents for a lawsuit. We didn't tax them to pay our lawyer fees; we didn't tax them to pay our lawsuit.

Supervisor Zambrano asked Robert Germain if the Town had a choice in the EEOC settlement.

Robert Germain said he didn't think the Town did.

Chief Barrett said the Town may have paid it but why didn't they take it out of fire protection money why didn't they take it out of another fund to pay the lawyer fees. Why are you taxing fire protection for a lawsuit fee? Why are you taxing four of the departments to pay one of the departments? There is no negotiation from her, they just push them off.

Supervisor Zambrano explained that she wants to go back and take a look at his budget because she thinks that it shows that LOSAP amount that is included up there.

Councilor Venesky said he would look at it.

ADJOURN:

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.*

EXECUTIVE SESSION:

Supervisor Zambrano moved for the adoption of a resolution to enter into executive session for a collective-bargaining issue.

Supervisor Zambrano invited the Town Attorney into Executive Session and said the Board would not be reconvening.

Motion was seconded by Deputy Supervisor Burtis.

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

The meeting adjourned into Executive Session at 9:41 p.m.

Tracy M. Cosilmon
Town Clerk