

STATE OF NEW YORK
ONONDAGA COUNTY
TOWN OF CICERO

SS:

The Cicero Town Board held their 2013 Annual Preliminary Budget Meeting on Wednesday, October 23, 2013 at 5:30 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present: Jim Corl, Supervisor
Jessica Zambrano, Councilor
C. Vernon Conway, Councilor
Lynn Jennings, Councilor
Tim Burtis, Councilor

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

Supervisor Corl indicated where the fire exits were and read the following statement:

The Cicero Town Board acknowledges the importance of full public participation in all public hearings and therefore urges all who wish to address those in attendance to utilize the microphones located in the front of the room. At this time please turn off your cell phones and asked all town councilors to speak clearly into the microphones to enable all to hear. If anyone is unable to hear please let them know so can take any corrective action.

The meeting was opened at 5:30 p.m. with the Pledge of Allegiance.

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

**PUBLIC/INFORMATIONAL HEARING FOR THE 2014 ANNUAL PRELIMINARY
BUDGET**

Proof of publication and posting was presented to the Town Board by Town Clerk, Tracy M. Cosilmon.

The public notice read as follows:

NOTICE IS HEREBY GIVEN that the annual 2014 Preliminary Budget of the Town of Cicero for the fiscal year 2014 has been completed and filed in the Office of the Clerk of the Town of Cicero, that the Town Board of said Town will, at a meeting thereof to be held at the Cicero Town Hall, 8236 Brewerton Rd. (Route 11), Cicero, NY 13039, Onondaga County, and is available for inspection by any interested person during office hours. The Town Board of the Town of Cicero shall hold a public hearing on said preliminary budget on Wednesday, October 23, 2013 at 5:30 p.m. showing such changes, alternations and revisions as shall have been made therein by the Town Board of the Town of Cicero. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained. The Town Board meeting will immediately follow the budget meeting.

The following are the proposed 2014 salaries of certain Town Officers of the Town of Cicero to wit: Town Councilors \$10,672 each per annum., Supervisor \$44,934 per annum., Receiver of Taxes \$50,108 per annum., Town Clerk \$50,108 per annum., Superintendent of Highways \$60,310 per annum., Town Justices \$37,455 per annum.

A copy of the 2014 Preliminary Budget will be available in the Town Clerk's Office on September 30, 2013 where it may be inspected during office hours.

By order of the Town Board

DATED: October 13, 2013

**TOWN BOARD OF THE TOWN OF CICERO,
COUNTY OF ONONDAGA, NEW YORK**

Supervisor Corl read the preliminary report that he provided when he submitted the preliminary budget to the Town Clerk on September 29th. The report went as follows:

A year ago I submitted a budget to the people of Cicero, which I claimed was the most difficult budget in the history of our Town. Unfortunately, it was a perfect storm, 2013 was the first year without six hundred thousand dollars we had previously enjoyed in the past from sales tax, the prior year's budget called for utilizing almost a million dollars in fund balance, and health and pension costs neared almost 20 percent of the Town's budget.

Fortunately, with strict oversight last year we were able to close the books 1.5 million dollars under budget which allowed us to add over \$400,000 to our savings account rather than deplete it by \$900,000 as proposed. Since we have had the benefit of experiencing these savings, it is time that we invest in the future of the Town of Cicero. This past year we have spent a great deal of time focusing on "long term" planning and initial implementation of these plans have already paid dividends. For example we are benefiting from the Cornell Local Road program that was developed last year so that we could better manage our decaying roads and come up with a long term strategy on how to confront this issue. Also, we developed a "long term" highway maintenance vehicle replacement program so that the Town can better manage its fleet. Lastly, the Board approved an inter-municipal sewer agreement in which the Town and County will work collaboratively to develop a capital program to address the aging sewer infrastructure.

In 2012 we experienced a great deal of growth in the Town which resulted in increased revenue from developers amounting to over \$40,000. To date in fiscal year 2013 we have already collected an additional \$67,000 from the amount projected for this year (\$80,000 projected/\$172,000 collected year to date – which is \$92,000 already above what was projected). Certainly, this is evidence that now is the time to invest in our Zoning and Codes Department so that we can keep this positive momentum, as this department is the driving force to making sure businesses want to expand, open and re-locate in Cicero.

I recently proposed the addition of a Director of Codes Enforcement and budgeted this position for next year. Over the last year, we took a more collaborative approach in the planning and development portion of the Town and such duties were shared by my office, the Planning Board Chair and Code Enforcement Office. This allowed the Codes Office to focus on just that – zoning and codes. Through our consultant and expert Bernie English an "Operational Report" has been developed so that the Director of Codes can begin implementing these recommendations. Inconsistencies relative to code enforcement that plagued the Town for years has come to an end and with additional qualified staffing, outstanding code issues can be and will be resolved.

Also, earlier this year in September he did provide a progress report which has been recently released (it is online) and incorporated into this budget. It is evident by the report that there is a great deal happening in Cicero and have much to be proud of.

The main highlights of this budget that I submit to the Board are as follows:

1. Maintaining the road program with necessary funding of \$800,000
2. Funding the 5-year vehicle maintenance program for Highway Department with \$300,000
3. Investment in our Codes office by having a Director of Code Enforcement as well as 3 full time code enforcement officers. (In 2012 and majority of 2013 we had just one full time officer)

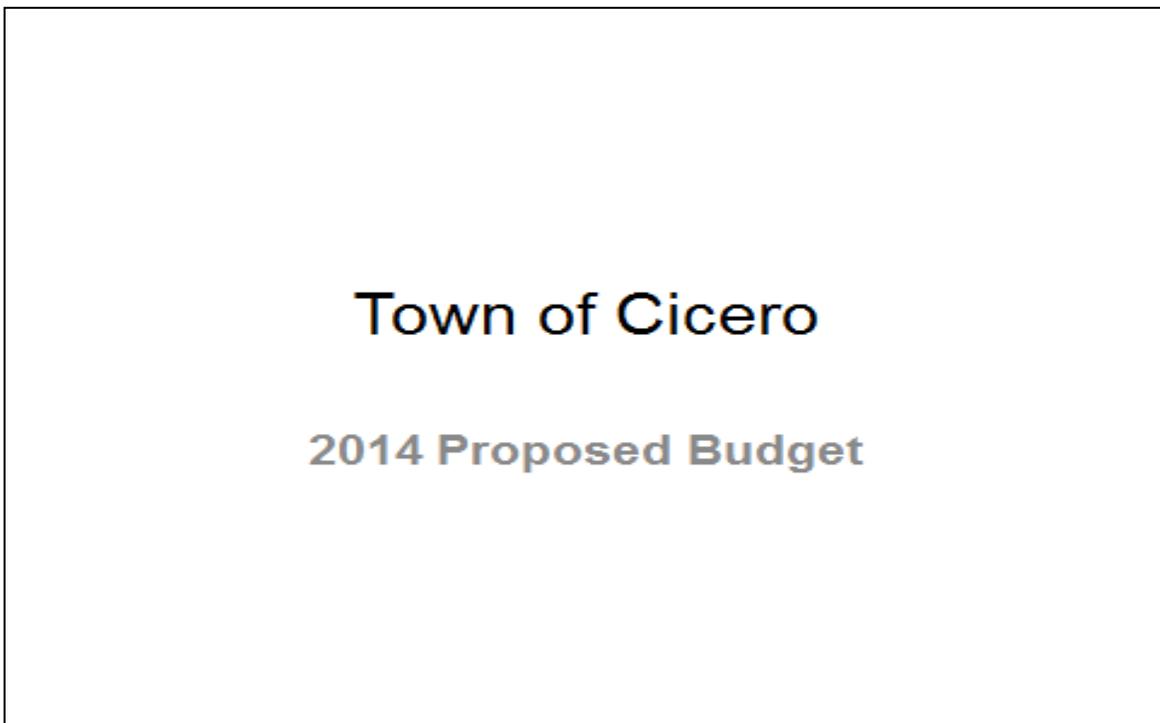
4. Increasing funding for maintenance of our aging Town Hall from \$25,000 to \$35,000 which includes replacement of a cooling tower a necessary repair that will save costs in the long run.
5. Investment into public safety by adding a police officer in 2013 and one additional officer in 2014 which will increase patrols during peak time when most crime occurs, and will allow more police presence in our neighborhoods.
6. Investment in our Parks and Recreation Department by making necessary improvements to Skyway Park while reducing costs by eliminating duplicative services in this and Central Park and what that means basically is that we have a 2 tennis court system at Skyway Park, we are going to make that a 1 tennis court, make a great deal of improvements so we have one really, really, good tennis court within the town. Also, make necessary improvements over at Central Park which will be better for the residents.

For the 2014 budget I propose utilizing savings (fund balance) is an amount just over \$695,000, financing for capital improvements in the amount of \$900,000 (investment in our roads and vehicles to maintain them) and keeping taxes in check by staying with the 2% tax cap. Use of fund balance is increased this year, however in 2012 there were savings of over 1.5 million dollars and now we have an opportunity to utilize said funds to make improvements in the Town. With the budget that I propose the Town will still have over 27% of the Town's total budget on hand to confront issues that will challenge the Town in the future.

This budget is beneficial for the residents of the Town of Cicero now, and keeps us on a responsible path for the future.

Supervisor Corl said they have worked intricately with Mr. Rowley over the course of the last two months on this budget with department heads, with a series of workshops, here at the Town Hall, where all board members were present and about a week ago they had their last budget workshop. He asked Mr. Rowley to give an overview.

Jim Rowley, Budget Officer gave a presentation which consisted of seven or eight slides and it was a high level overview of the budget (the detailed budget is online):



Town of Cicero 2014 Proposed Budget

Current fiscal environment the Town budget is exposed to:

- Economy remains stagnant, unemployment and lack of jobs still prevalent in the region. However, the Town has experienced growth in the last year which has led to increased revenue in the codes department (80,000 projected – over double that amount collected year to date).
- State Aid – flat (hopefully it doesn't decrease)
- Sales Tax – Gone!
- Tax Cap – unrealistic with needs of community to service, 130 miles of road, over 32,000 residents
- Managing costs, especially state mandated pension cost increases, becoming very difficult to do given the environment.

Town of Cicero 2014 Proposed Budget

With the excellent results of the 2012 fiscal year and the conservative budget adopted in 2013, the Town has set forth a program with the 2014 proposed budget that will make much needed investments in the Town in a fiscally responsible manner. The town plans to employ the following strategies going forward:

- Reasonable tax levies
- Careful use of fund balance
- Judicious use of debt

Town of Cicero 2014 Proposed Budget

2013 FINAL BUDGET								
	Appropriations	Est Revenues	Fund Balance	Tax Amount	2013 Rate			
A	General	\$ 2,721,361	\$ 1,200,770	\$ 313,199	\$ 1,207,382	\$ 0.5789		
B	Gen Outside Village	\$ 2,794,758	\$ 443,010	\$ 18,115	\$ 2,333,633	\$ 1.1776		
DE	Highway	\$ 3,907,890	\$ 374,200	\$ 158,235	\$ 3,375,455	\$ 1.7034		
TOTAL \$		\$ 9,423,999	\$ 2,017,980	\$ 489,549	\$ 6,916,470	\$ 3.4598		
		2013	2014	% change				
Taxable Assessment	Part Town	\$ 1,981,651,030	\$ 1,984,091,860	0.12%				
	Village	\$ 104,154,488	\$ 104,308,488	0.15%				
	Town Wide	\$ 2,085,805,488	\$ 2,088,400,368	0.12%				
2014 PROPOSED ADJUSTED BUDGET								
	Appropriations	Est Revenues	Fund Balance	Tax Amount	2014 Rate	2013 Rate	Increase	
A	General	\$ 2,893,587	\$ 1,300,620	\$ 314,981	\$ 1,267,996	\$ 0.6072	\$ 0.5789	\$ 0.0283
B	Gen Outside Village	\$ 3,099,889	\$ 436,295	\$ 108,751	\$ 2,556,813	\$ 1.2887	\$ 1.1776	\$ 0.1110
DE	Highway	\$ 3,971,664	\$ 372,200	\$ 276,972	\$ 3,322,492	\$ 1.6746	\$ 1.7034	\$(0.0288)
TOTAL \$		\$ 9,955,110	\$ 2,109,115	\$ 698,704	\$ 7,147,291	\$ 3.5704	\$ 3.4598	\$ 0.1105

Town of Cicero 2014 Proposed Budget

SUMMARY OF SPECIAL DISTRICTS

Fund Code	Fund Description	Appropriations	Less: Unexpended Balances and Appropriated Reserves	2014 Tax Levy	2013 Tax Levy
FX	FIRE HYDRANT DISTRICTS	\$ 6,381	\$ 1,525	\$ 4,855	\$ 5,044
SW	WATER IMPROVEMENT DISTRICTS	\$ 55,804	\$ 8,931	\$ 46,873	\$ 47,568
SF	FIRE PROTECTION DISTRICTS	\$ 1,555,967	\$ -	\$ 1,555,967	\$ 1,511,194
SS	SEWER IMPROVEMENT DISTRICTS	\$ 383,587	\$ 173,000	\$ 210,587	\$ 383,587
SD	DRAINAGE DISTRICTS	\$ 376,400	\$ 130,659	\$ 245,741	\$ 310,299
SF	REFUSE AND GARBAGE DISTRICTS	\$ 2,061,000	\$ -	\$ 2,061,000	\$ 1,861,481
SL	LIGHTING DISTRICTS	\$ 355,602	\$ 9,475	\$ 346,128	\$ 352,082
T	AMBULANCE DISTRICT	\$ 94,860	\$ -	\$ 94,860	\$ 93,000
		\$4,889,601	\$323,590	\$4,566,011	\$4,564,255

Town of Cicero 2014 Proposed Budget

TAX CAP CALCULATION

	2014 Preliminary	2014 Final
Adopted 2013 Levy (all funds)	\$ 11,480,726	\$ 11,480,726
Tax Base Growth Factor	1.0038	1.0038
Sub Total	\$ 11,524,353	\$ 11,524,353
PILOTS Receivable 12/31/13	\$ 64,555	\$ 64,555
Sub Total	\$ 11,588,908	\$ 11,588,908
Allowable Levy Limit Growth Factor	1.0200	1.0166
Sub Total	\$ 11,820,886	\$ 11,781,284
PILOTS Receivable 12/31/14	\$ (67,982)	\$ (67,982)
Carryover from 12/31/13	\$ -	\$ -
Levy Limit before exclusions	\$ 11,752,704	\$ 11,713,302
Pension Exclusion - none	\$ -	\$ -
Final Levy Limit	\$ 11,752,704	\$ 11,713,302
Adopted Levy 2014 (all funds)	\$ 11,713,302	\$ 11,713,302
Under (Over) TAX CAP	\$ 39,402	\$ -
Actual Combined Levy Increase		2.026%

Town of Cicero 2014 Proposed Budget

**Combined Ending Fund Balances
(Funds A, B, DB)**



Ending fund balance for 2014 will be 28% of general funds appropriations.

Town of Cicero 2014 Proposed Budget

Constitutional debt limit from 2012 AUD report:

Long-Term Debt

- a. Outstanding indebtedness aggregated \$2,852,704. Of this amount, \$2,820,072 was subject to the constitutional debt limit and represented approximately .028 % of its debt limit.

The Town has approximately \$100,000,000 additional debt capacity if needed

Jim Rowley explained that they are trying to keep it balanced and he thinks we have done that in this budget and handed out the following:

Addendum A:

A1001 – change from 1,271,421 to 1,267,986

B1001 – change from 2,557,977 to 2,556,813

DB1001 – change from 3,325,513 to 3,322,492

He explained that on the budget that is on the website the summary section is correct, because its formula driven, but in the Details there are some changes in the tax levies. If you plug those into the details they will match the summary sheet.

Supervisor Corl asked the Board if they had any questions for Jim Rowley.

Board questions – None

Public Hearing was opened at 5:55 p.m.

Speaking for –

Don Snyder – Mud Mill Rd. had four quick areas that he wanted to talk about. The first one was about DB Highway, (page 4 of 10 in the handout). DB5112.55 Capital Paving contractual – 2012 we said it was \$650,000, 2013 we said it was \$150,000 and we are proposing 2014 - \$75,000. We have a paving program of \$800,000 a year which says in 2013 we are short \$650,000. He understands that we borrowed \$650,000 to pay for that, which is fine, but also in the budget he sees where we are only paying interest for 2014 on that \$650,000 that we borrowed. If we go over to 2014 - \$75,000. We still have an \$800,000 budget for paving for Chris, so it says we are \$725,000 short. Also, they approved a highway equipment purchase program, (which he stands behind and next year it is supposed to spend \$295,000). Adding those two numbers up, it says there's \$1,020,000 that he doesn't find in the budget. Supervisor Corl had indicated in one of the articles that he put in the paper that we were going to get \$900,000 from our capital fund. Don Snyder asked Supervisor Corl to explain what the Capital Fund is because it's not in any of the documentation that was on the website. He said maybe it was just something that was not given out or what not, but how do we get, how do we cover this \$1,020,000 that we are talking about spending there?

Jim Rowley explained that in 2013 there was \$650,000 allocated towards paving that was going to be paid for with bond revenues. We don't need to put the appropriations into the

budget or the revenues into the budget; they do go into the capital fund. Between this document that's online that's proposed for the 2014 budget and maybe an old document that represented the 2013 budget, you'll see that difference. Going from 2013 in the old document and 2013 in the new document, he took it out of this document to make sure it was comparable to the 2014 budget going forward. So comparability - you could compare it from 2014 to 2013. What they are doing, (and he talked about this at length last year when we first did it), and again in 2013, we had to overcome a \$600,000 shortfall in sales tax revenues. The only way to do that was to take out appropriations to the tune of \$650,000 in the Highway department - that was bonded. It didn't have to be put into the General Fund, (when you do the bond resolution you establish the capital fund at that point and time). Going forward, the plan was to continue to borrow for road paving and the theory behind it was we were going to borrow in increments; it laddered in a laddered manner so that we got to a point where the appropriations we took out in 2013 would eventually come back into the budget but on a much longer time frame so that we had some time to adjust going forward. And it's going to be managed to the point where when 1 year drops off, another year would come on and your debt service would be fixed going forward. So eventually we are going to build appropriations back up into the budget over a 10 or 15 year period, depending on how they decide to bond for the road paving program. But, the appropriations that Don Snyder claimed are not in this budget for the paving program, as well as the capital program, they are going to be established when they do the bond resolution at a later time.

Don Snyder asked, "So, in 2014 we will have a bond resolution where we will go out and borrow 1 million or 1 million twenty to cover those items?"

Jim Rowley replied that was his understanding.

Don Snyder asked when they thought we were going to start paying this back.

Jim Rowley replied that it's going to be paid back over time. In other words, we took out \$650,000 for appropriations and when we start paying the principal back you are going to get, in rough terms, \$75,000 to \$80,000 of principal back into the appropriations in one year and that could be next year, or the year after. The year after that it's going to go up to \$120,000 - \$150,000, and eventually you are going to get back up to that \$650,000 in appropriations that you took out, but it's going to be over a 10 year time period. But, we are going to ladder the debt so that we don't ever get over that \$650,000, (as one year drops off, another year comes on and we will be at that \$650,000 appropriation level forever going forward and that's how that program is going to be managed going forward).

Don Snyder said it looks like we are going to borrow maybe up to \$3 to \$5 million dollars before we start paying principal back.

Jim Rowley told Don Snyder to bear in mind too that you (the Town) are at 2.8% of your constitutional debt limit. He's not saying you go wild and borrow money, but you are well within our limits for borrowing. Borrowing for road paving is done time and time again in municipality after municipality. Borrowing from hard assets is a common practice in municipal finance and it's done everywhere.

Don Snyder said what he would request the Board to do, (because the people in the audience only know their home budget), and his home budget is - if you got it you spend it - maybe. You save it, or if you don't have it you go to the bank and ask for a loan, but also when you ask for the loan, you end up with a schedule from the bank that says here's how much this is going to cost you, here's how much you have to pay back. What scares him right now to death, as a taxpayer, is do we need our roads, replaced? Absolutely! Do we need equipment? Absolutely! What scares him is it looks like we are starting down this road and we don't have a picture of how that really is going to come out because Year 4 or 5 of our equipment purchases is over half a million dollars and we're in trouble now. We all need to feel comfortable.

Jim Rowley said he could produce that. He did produce some models last year, and again it changes. You are going to have to manage it based on how rates fall. As rates increase

you're going to have to borrow a little bit less because the whole idea is to keep your debt service level flat. There is a model that they'll put together.

Don Snyder said two of the quick things he did, again, (because numbers speak very loud), looking at his budget, he looked at the tax levy for 2013, and our estimated tax levy for 2014, and he took for the three funds, (it's about \$60,000 more that we are going to get in Fund A, about \$223,000 in Fund B and a \$53,000 negative number in DB), so about \$231,000 we are going to get increased income from tax levy. If he looks at just the medical insurance increase, we are going to have an increase in Fund A of \$44,000, an increase in Fund B of \$119,000, an increase in DB of \$97,000, or an increase in just the insurance for our staff \$261,000 which says - he's \$30,000 short when he looks at just two things - the additional income coming in from the Town taxpayers and the money he has to spend for insurance. Let's look at the fringe benefits package. If we look at the income, we said it was \$200,000 for those three areas, but for the fringe benefits, for the three funds it's a \$350,926 increase in the fringe benefits. So if he just looks at the fringe benefits, (and he hasn't looked at salaries or anything else such as Chris' repair or the Police Chief's gas), that says we are \$120,000 short if we look at the income from the taxpayers versus that item.

Lastly, Don Snyder said he had a real concern about the special district for garbage and trash. We said in 2013, that we have a balance in 2012 that we are going to bring forward. He knows that we've got to leave all those monies alone - they can't go from one special district to another, so he understands that. We were going to bring \$195,000 into the 2013 money. We are going to get from our taxpayers \$1,861,480 and we had a projected expense of \$1,987,586. We said we were going to have a \$0 balance at the end of 2013, and it looks like the cost for 2014 will be \$2,061,000, (that's what we will ask our taxpayers to pay - which is \$190 a house or whatever). But, the concern he has is we right now are paying \$146,738.33 per month to Syracuse Haulers, which is \$1,760,000. We are paying Altman \$304,000, and as near as he can tell looking at the abstracts, we've charged this account with over \$30,000 for the lawyer's fees, for concerns that we had when we made the change. That says we have \$2,095,000 being charged to the 2013 account, when in fact we only show from the revenue in 2012, and the 2013 projected revenue \$2,056,000 of income. So it looks like instead of their projected balance for 2013 being \$0, it looks like it should be a negative \$38,000, and if it is a negative \$38,000 - no big deal, we just need to move it over and make the \$2,061,000 thirty thousand dollars higher and change the rate.

Jim Rowley went back to Don's first point in the General Fund's budget on the Benefits side, (on the points that he was not sure Don was trying to make), and said the Town of Cicero is no different than any other municipality in this state. They have significant costs in benefits and you can't look at that in isolation relative to the rest of the budget. You have to look at the revenues that are coming in and we have about an extra \$90,000 in revenues, mostly from Codes. You have to look at the fund balance that we are going to use, and then the balancer is the tax levy and we are at the tax cap underneath the tax levy. So he doesn't know what kind of point Don was making, but in the big picture everything works. There are significant investments not only in hard assets, the road paving program, and the rolling stock for the Highway department, but there's a big investment in personnel. This town has made a huge commitment to public safety, and he thinks everyone is in agreement with that. They've made everyone else in the Town put them on even keel in terms of the labor contracts that exist in the non-labor people that work for the Town. Everybody is even now and it's going to make their life and it's going to make it much more efficient going forward when they are negotiating with the unions because everyone is at a level-playing field now - everyone has started off on the same foot.

Don Snyder told Jim Rowley one of the things he missed was that we paid with cash every year. We paid \$650,000 for our roads program. We this year...

Jim Rowley replied that we did not.

Don Snyder said yes we did. It is in the budget.

Jim Rowley explained that in the 2012 budget, the plan was to use \$900,000 in savings. That was the plan - almost a million dollars in savings. That's not cash, that's taking it out of savings. You don't have that.

Don Snyder said we are doing that this year. We've done it for years and he doesn't see that as a problem.

Jim Rowley explained that you cannot do it for years though, that is the problem. This Board has taken a definitive action to try to be judicious in its use on fund balances - there's a plan going forward.

Don Snyder said if they are being judicious then he has one other concern. He understands, because he read the contract and we have one contract already that has been signed, sealed and delivered that says during the next two years there will be no layoffs, no consolidation, no change in the shifts, and if a position gets emptied it will be filled within 90 days. And the second contract, as he understands, is going to say something similar and the third contract may stay the same. If in fact that is true, there could be a possibility that this Board has put together a situation that we will only have 35 or 45 percent of our budget that we can even touch for the next two years.

Supervisor Corl asked Jim Rowley if in the 2014 budget he accounted for everything that's in the Collective Bargaining Agreement that we adopted with the Police Department that was passed unanimously by the Board.

Jim Rowley replied absolutely. He confirmed with Supervisor Corl that the contract ends in 2015.

Supervisor Corl stated that was correct. Also, he wanted Jim Rowley to explain for individuals that there was litigation, unfortunately, in the garbage and refuse line that we did expend money for. When we switched haulers in January of this year, we entered into a contract. When we went out to bid we wanted to make sure we saw safety records; we wanted to see their safety program. We looked at driver's records and the whole bit because we wanted to make sure whomever was doing business in our town is doing it safely and that the people who are driving these large dump trucks don't have DWI's (Driving While Intoxicated), and all types of other things on their records. So they skipped the lowest bidder and went with Syracuse Haulers. The other bidder turned around and sued us and it has cost us a lot of money. But at least we have peace of mind now that we don't have individuals on our roads now that could potentially be dangerous. He said it was a wise investment.

Jim Rowley said that there was no doubt the Refuge and Garbage Special District budget is tight. But, it's still unknown yet whether or not when you look at this year and what we are proposing to tax next year if the fund is going to be in trouble or not because he believes that we still have to go out for the brush contract.

Supervisor Corl said that was correct.

Jim Rowley said hopefully there was \$30,000 savings there. He's pretty confident that we'll see that, so he thinks that we will be even going forward.

Supervisor Corl asked if anyone else would like to address the Board.

Judy Boyke said she didn't see a line item for Economic Development when looking over the contract anywhere.

Jim Rowley said he was not intimate with the grant and he doesn't know if the Town is getting money, or when they will get money, but the decision that the Board made was that if there is a matching portion required on the Town's part; they would modify the budget and use fund balance for that and make up for it in a subsequent year through the tax levy.

Judy Boyke said because there are several grants, particularly involving the Brewerton Revitalization program, she would have thought that would have been lines to budget something towards this, rather than as their talking not using the fund balance. And now they are talking instead of putting it in the budget that they are going to take it out of the fund balance – it doesn't make sense.

Jim Rowley said he was not sure when these grants will come to fruition.

Supervisor Corl explained that part of the process, too, is the reason that they made a concerted effort to move forward with the Brewerton revitalization. But the concern is the cost. What is the match going to be? There are properties that need to be acquired and evaluations that need to be determined, so the collective decision with the help of Jim Rowley was why tax for that at this point? Pursue it. And at that point, that's why we do have a 28% fund balance that we are leaving.

Judy Boyke asked if Brewerton was the only economic development that they are planning on and if there are any other future business that they are looking at?

Supervisor Corl replied that there are plenty. They have done that in house, (himself, Planning Board Chair Bob Smith, our Codes Department, and Councilor Zambrano who is our liaison in the Zoning department). For the last year and a half they were able to drive in a lot of business, new businesses to expand. Whether you are talking about Loretto or JADAK, or if you go up Route 11 - there are plenty of new businesses. He thinks they have taken the approach that we are collectively marketing Cicero; making it easier to do business. Bob Smith was at a business just today talking to a potential business that might want to move in from DeWitt. Bob is always out there talking to businesses to encourage them to come here. Part of our Planning Board perspective, really, is to make it easier – cut through the red tape. Bob has been out there doing site visits, getting them through the Planning Board, rather than them going through 3, 4 or 5 times. You can have a large project come through; two meetings are done and then they are up and running. For example: JADAK, he thinks they were here for 2 meetings and that was about a 45,000 square foot building and he thinks that was approved in about 1 month. As a Board, he thinks they are collectively being proactive.

Judy Boyke said she understood that. Obviously, businesses and people certainly want to come here. In regards to the trash haulers, are they ever going to tell everybody why we were paying more each month without passing a resolution? Paying that \$9,000 a month extra that was over and above their contract that she asked about last March?

Supervisor Corl said he didn't understand her question. The contract is on a per unit basis.

Judy Boyke said that was right. But it was \$9,000 more a month than the original contract that was started. It was her understanding that there was a miscalculation in the amount of units that were supposed to be picked up. Why was that not brought to the Board and a resolution done to let the people know that you're paying \$9,000 more because there was a mistake.

Supervisor Corl explained that we pay per unit.

Judy Boyke said she understood. The monthly bill that comes in is gauged on their contract. Was there not a change, a problem with the units that the original bid was placed on? When the bid went out, they bid on a certain amount of units, was that not correct?

Supervisor Corl replied that was correct.

Judy Boyke said so when they bid on it, it was found out that there were more units. So there was a problem in the fact that they were going to charge more because there was a miscalculation in units.

Supervisor Corl said the original contract, when they worked with the County of Onondaga to go out to bid, they did all the bid specs for us, they did all the work at no cost to the Town, which probably saved us about 10 to 15 thousand dollars. At that point, whether they used that we had 10,000 units or 13,000 units doesn't really matter, its how much Syracuse Haulers is going to charge us per unit. If they put in there that we have 10,000 units when we really have 11,000. That's what it came back as.

Councilor Jennings told Supervisor Corl that if he looked back in the minutes, (he brought this up before and he's sure that some of the residents have that may not even be here tonight), it originally was stated that when they went out for bid for this contract they used the old figures, number of units (let's say 100 houses in Cicero), and that's what we were going to do with the contract, however, when it got into it we got 150 houses, so we are 50 houses missing. He has asked repeatedly, that when you take the invoice at \$146,000 it came out to roughly \$9,000 a month more we were paying for that contract and he had asked up here on the board why don't we take an action to resolve the issue. The issue has been very simple, so what we've been doing is paying \$9,000 a month for the last year or when the contract inceptioned. That was an error done by Onondaga County and their bid.

Jim Rowley said you can't go back and redo the taxes for that district once they are set. So, if there's a problem with the contract, (and he is not intimate with all the details that some of the board members are), then it comes out of fund balance and whether you do a resolution or don't do a resolution it really doesn't matter –you've got a contract. You have got to service the residents.

Supervisor Corl said his recollection was that the contract was awarded after the budget had already been passed. We went out to bid late fall/early winter and awarded the contract when the rate was already set.

Councilor Zambrano asked Councilor Jennings if he was saying that the contract was being exceeded by \$180,000 a year.

Councilor Jennings replied yes he was. That if she remembered, at one meeting Judy Boyke brought that to our attention and he believes her answer was, "Thank you very much. We will look into that." That's in the minutes - he would think. He is sure and he has talked with individuals and they have asked the same question which was, "Why did we not just come forth and say that we were paying that extra amount?" Whether or not we had to count, all we are saying is be upfront. If we are paying the money then let the residents know. It's in the invoice - \$146,000 x 12 is a lot more than the actual contract total amount; which he has been hard pressed to find what that amount is.

Judy Boyke asked if there was a deficit that we have to pay in the trash hauler and brush.

Jim Rowley said he thinks the Comptroller has calculated a deficit, he doesn't agree with it because he is looking at it in a two year cycle. By the time they assess tax for 2014 and we have an opportunity to let the brush contract go he thinks there's going to be enough savings there where when we get to the end of 2014, the district will be even. That's his opinion.

Supervisor Corl asked Judy Boyke if she had any questions other than the brush.

Judy Boyke asked Supervisor Corl how the Brewerton Ambulance line was presented/negotiated. What type of documentation does he have, because she does see that there's an increase. And how did they go and discuss this with the Brewerton Ambulance people.

Supervisor Corl explained that they got a 2% increase. Mr. Stassi said he's going to be forwarding him, like he did last year, all of the financial documentation.

Judy Boyke asked if that was not supposed to be quarterly.

Supervisor Corl said he requested it yearly, which Mr. Stassi provides.

Judy Boyke asked if he got one this year.

Supervisor Corl explained that they got one last year and we will get one this year before the end of the year.

Councilor Jennings said he hated to be the contradictory person, but he did some looking into this one also because when they did the fire departments in Brewerton they were talking about this and like they said, it's about an \$1800 increase. If you were even doing it annually, our last quarterly report was back in December of 2011, so between 2011 and 2012 they had no reports. What he's looking at, if he's incorrect, because he believes at one time West Monroe was paying \$10,000 towards this amount and Hastings was paying nothing. He thinks whether we are getting it yearly or not, there's nothing that he knew in this presentation that this was being requested for that amount – the increase. He just thinks, and again it's another one of those things that came up, and he looked at it and he saw the difference and he went and asked some questions and those were the answers he got.

Supervisor Corl stated that they were treated fairly. Just like all the other fire departments, they were asked to stay within the 2%. Mr. Stassi said his would come in at the 2% and he would provide us the financials, but that's regarding the fire contracts.

Councilor Jennings said he was talking about the ambulance. If he remembers, last time when they asked for documentation what they finally got was a list of checks that were written and that was it.

Supervisor Corl said that was since 2011.

Councilor Jennings said no. He talked to Warren Darby the other night at the fire department. He told Mr. Darby that we haven't received our quarterly reports, but Mr. Darby was eating popcorn so he didn't press the issue. This again is another thing that we overlook. If Supervisor Corl had requested a yearly thing then that's fine, but he was not aware of that and he is not sure who else on the board is aware of that.

Supervisor Corl said he thinks he gave it to all the board members last year, but he'll look.

Councilor Burtis asked Supervisor Corl if he was saying that we received a report. It wasn't around this time, but they received it within year end and they didn't necessarily publish that.

Supervisor Corl replied that he believes he circulated it to all the board members, but he could check.

Councilor Burtis said he believed he did. But he remembers it being different. He remembers numbers so...

Councilor Jennings said the last one he could find today was 2011.

Councilor Zambrano said she also recollected that report, some type of report.

Ray Schader said he was a simple guy. He's not a financial... but, if he heard them right that \$650,000 we borrowed last year, the payment back is not in the budget?

Jim Rowley explained that it was issued under a BAN (Bond Anticipation Note), so in the 2014 budget there is only interest on it and that is \$13,000.

Ray Schader asked if it is ever shown in the budget.

Jim Rowley replied - once it's converted to a bond and they have an amortization schedule.

Ray Schader - he does his budget at home and if he wants to buy a car or wants to borrow he has to add in if he has enough money to pay in \$400 more for a car payment and he would have to figure that amount in with his heat, lights, etc. Are we doing that in this budget?

Jim Rowley explained that in this budget we didn't have to account for that. There is a plan going forward to account for debt service.

Ray Schader asked when is that going to be in the budget and when is it going to show up in this budget?

Jim Rowley explained that when we issue bonds and there is a debt schedule to put into the budget. There's no sense in taxing individuals for debt service we don't have yet.

Supervisor Corl said he thinks you have to wait 5 years to convert it to a bond.

Ray Schader said he would take their word for it.

Councilor Burtis said right now it's a BAN (Bond Anticipation Note), and technically there is no bond yet. The option you have on a BAN is to pay interest.

Jim Rowley said it was short-term, so it will come up. You either will have to renew it either in a form of a BAN or bond it.

Councilor Burtis said you can't make a principal payment on something that is not there yet. It's only a BAN, so you can only pay interest on it right now.

Supervisor Corl said that was correct.

Deborah Gardner asked Jim Rowley to repeat what the increase in taxes would be on a \$100,000 home.

Jim Rowley told her excluding special districts it would be \$11.05.

Deborah Gardner said they could all knit-pick this budget to death, but she thinks that the Town Board has probably done the best job that they could, considering the economic circumstances of the whole country and she appreciates their efforts so she won't be doing any knit-picking.

Councilor Jennings said the last thing he had was on Third Party Administrator (TPA) account. Is that money factored into the budget anywhere? The payment, how do we arrive the monies for that?

Jim Rowley said if it was in appropriations last year then he accounted for it. He doesn't account for every single vendor payment that the Town makes. He certainly looks at what was spent last year, he looks at some of the detail and he makes sure that there are no big items that he has to account for going year to year. So that TPA payment is in the appropriations in 2013 and he's confident that it's accounted for in the 2014 appropriations.

Councilor Jennings said he guessed his thought is... We don't have a line budgeted TPA, so then it must be coming out of the fund balance, more than likely.

Supervisor Corl asked Councilor Jennings if by TPA he meant the account that was established to make up the difference in copays.

Councilor Jennings replied yes.

Supervisor Corl explained that to avoid a potential grievance the Town established a TPA. They funded it with about \$20,000 and he thinks that they've only used a few thousand out of it. What it does is it makes up some copay difference because there was a change of health plans. That fund is very healthy and it is funded outside of this.

Councilor Jennings asked if the monies originated come out of the fund balance.

Supervisor Corl replied no.

Jim Rowley said it was a separate fund. It would either be a transfer from the general fund or ...

Supervisor Corl said Shirlie had to do a calculation on which funds it could be transferred from and then it was established and now it's very healthy.

Tom Beaulieu told Supervisor Corl they would miss him next year. He has been here at least 6 years going over the budget. He wanted to verify some numbers. He was looking at the front page of the budget: the appropriations, the revenues, the appropriated fund balance and then the tax levy and the special districts and when he adds all the numbers up he has about a \$347,000 shortfall. There's a \$347,781 difference between the appropriations and the expenditures. Someplace on there it does work out to about .028%, but why wouldn't it be shown in a tax levy to balance the numbers between revenues in and expenditures? And the fund balance also, of course. He calculated it a couple of times and the revenues and appropriations were \$12,064,226.

Jim Rowley explained the way this schedule works:

If you have Appropriations of \$9,955,111.00
- 2,109,115.00 (**subtract** out the in other revenues)
- 698,704.00 (**subtract** out the fund balance)
and you get to the **tax levy** of \$7,147,292.00

Tom Beaulieu said they aren't adding in the special districts at the bottom.

Jim Rowley replied no. They are separate.

Tom Beaulieu said the way they got this set up, all the numbers are thrown in together then.

Jim Rowley said that was right. He could lop off that special district line. He only put it in there so that everybody could get an idea of what the total tax levy is. That's important especially in today's day and age because we have to do a tax cap calculation and that's the number he has to use to do the tax cap calculation.

Tom Beaulieu said he thinks it's confusing to most people. If they take a calculator out and they begin to add the numbers up - it's very difficult.

Jim Rowley said maybe he could put a note in there that he could sort of pass this up and maybe put a formula in.

Tom Beaulieu said when he adds the numbers in a column and adds the columns as they come down and then subtracts the revenues from the expenditures and adds in the fund balance he expects them to all balance out and they don't.

Jim Rowley explained that they do if you don't include special districts.

Tom Beaulieu said he knew over the years we've been looking at the cost, the additional cost of our healthcare costs, which we have to pay of course, and the pension costs. They've been going up about 14 -17 percent on a yearly basis and he knows we have no control over that but without raising our tax revenue at some point, you are either going to have to cut services or start cutting personnel because you can't pay them both. You can't continue to provide 4 star service if the cost of healthcare, pensions and of course

your payroll continues to increase. He sees, with all due respect to the Police Department, an increase this year in their line item in salaries of 12% over last year. Are there any other departments that are any place near that that they anticipate seeing that kind of a double digit increase?

Supervisor Corl explained that the main reason for the increase is there have been ongoing negotiations and that contract had expired in 2010, and they haven't had a contract since then. Part of the negotiation that they settled this year was that there was no retroactive pay. That retroactive pay would have probably been in the neighborhood of about \$150,000. They came to an agreement with the President of the PBA (Police Benevolent Association) and their attorney that the Town would not have to pay retroactive; instead we are going to take that money and invest it in the department and add a new officer this year, (which they've done). Also, to add another officer next year and make some promotions with sergeants so we could cover shifts accordingly. The shifts that we had - we had shifts in the middle of the night where there was only 1 officer on duty, which leads to all types of problems with backup and things of that nature. He thinks the contract was a win-win. Is there increased costs going forward next year? Yes. However, it beats having to pay retroactive of \$150,000 and then not getting anything for it.

Chief Snell explained that they have 2 officers who have filed for their pensions. So in 2015 you will see that number start to decrease because you're replacing them with Step 1 employees at about \$25,000 less than the top 7 are making. That's the problem they have -the issue going into next year, is that we are still holding onto 2 people that have filed their pension papers and aren't working and until they retire we can't replace them with lower numbers.

Tom Beaulieu said he understands that would be the procedure and we'll probably save 40-50 thousand dollars on the lower salaries for the new hires, but in the same respect, with the steps that are being added in on this new contract, we may lose all that savings based on additional contracts.

Chief Snell said no. That's all in figured into the 2014 budget.

Tom Beaulieu said it is for this, but he's saying into the future.

Chief Snell said as the Supervisor has said, that they added 3 years on the contract; there is another contract signed so you get hit big the first year, but after that then you go into increments with a lot less pay increases.

Tom Beaulieu told Chief Snell he wouldn't hold him to that but he would hold the Board to it.

Chief Snell told Tom if he looked at the contract he would see that it's around a 1.5 to 2 percent increase for 2014 and 2015.

Supervisor Corl explained that there was no retroactive and over the course of those 5 years there is a 2% incremental increase.

Tom Beaulieu asked if they said it was a \$146,000 a month for that trash contract.

Councilor Jennings replied yes.

Tom Beaulieu - that figures out to \$1,752,000. That's about a \$200,000 increase from the previous contract that we had.

Supervisor Corl explained that the previous hauler never made adjustments for increase in the amount of units.

Tom Beaulieu – in the amount of units, do you mean as far as houses were added?

Supervisor Corl replied yes

Tom Beaulieu said that was substantial when you consider that we haven't had that much town growth that we are going to spend another \$200,000.

Supervisor Corl..... (inaudible due to tape change)

Tom Beaulieu said his only other concern about borrowing money, and he knows he was one of the people that pushed and pursued the idea of borrowing money to fix the roads because of the condition they were in, he's very concerned at some point that by borrowing the money, and we've got very low interest rates, when they stop printing money at the Federal Reserve the interest rates are going to go through the roof and the bond market will crash and we are going to be sitting here with a big debt and we are going to have to pay it off. He doesn't know what the emergency fund is to say – "Holy...let's take money out of the fund balance and pay this thing off because it's going to bury us." Nobody has a contingency plan to handle the high interest rates when they do show up, it might be a year or 3 years, but sooner or later it's going to happen.

Don Snyder was wondering about our current assessed evaluation. He believes that if we were to take and add .50 cents per thousand to our tax rate we could; with our current assessed evaluation raise \$1,000,000 a year. That would mean that if he had a \$100,000 house that would be \$5.00 a year. So wouldn't we rather miss the tax cap a little bit, tell the people "Look, we are going to charge you \$5.00 more a year, but we're going to pay for our roads on a day to day basis rather than borrow the money".

Jim Rowley said that was certainly an option. The decision was made to stay within the tax cap. That is the law in New York State and its there for a reason. The Board didn't see, at least this year anyway, an overriding reason to vote to exceed the cap.

Supervisor Corl closed the public hearing of the budget hearing.

Public Hearing was closed at 6:39 p.m.

Supervisor Corl agreed with what Mr. Rowley had said. He thinks this is a good solid budget, making significant investments in the future of the Town.

Supervisor Corl solicited any comments or discussion from the Town Board.

Board Comments

Councilor Conway – None

Councilor Zambrano – I just wanted to reiterate that the Board has worked very hard to be cognizant of all the issues facing us today and in the future. We have taken the approach to look at long term financial planning and she thinks they are being very responsible in doing this. We have made a significant investment in roads and in our Highway department by having an equipment placement plan so that we are not shorting the Highway department from the job that they need to do. I think everyone agrees that our roads have been in bad shape, so this is really an important program and she commends the Highway department for working so closely with the board on this issue. The infrastructure is very important. They have to think about sewers - that may become an issue in the future. There are always the drainage issues. They've also done a major overhaul of the Codes office and she thinks they have shown a commitment by changing the codes to tighten it up. We have seen an increased activity in the Codes department with current personnel, actually, but they are reorganizing the department, trying to get new leadership and she thinks that may see extra revenues in the future. All in all, she is quite satisfied with this budget. She thinks they are being very responsible for the future, not only for 2014, but they are trying to look at the years ahead. We have fire department personnel here tonight as well and we will be talking about those budgets as well. Also, all of our volunteer fire departments have been very responsible, as have our Police department. We have one more labor contract to negotiate and hopefully they have set the precedent about how that should go based on the outcome of the other two contracts. She is very hopeful that we are in good shape for 2014.

Councilor Zambrano commended Supervisor Corl for all his hard work and leadership, putting us in this direction. She thanked Supervisor Corl and Jim Rowley, who had worked so closely with them.

Councilor Jennings – None

Councilor Burtis said he continued to be diligent and looking over the budget and working on the numbers and being concerned about our spending and he commends Supervisor Corl and his leadership of this Board through this difficult time. He believes this Board has done a good job in engaging in the budget and in our spending and as a result we've got a projected ending fund balance (savings) of \$3.5 million. We do have debt of \$2.8 million in total indebtedness, approximately. So if you want to keep it simple - that's where they are at. In the meantime, they are trying to run a town here and it is difficult. They could try and take a conservative and strict approach and try to work with cash, but as he sits here he would remind us again that he is staring at a 200 year old town 1807-2007, (on the back wall is a plaque), and his concern is to keep the town moving. The question is how much debt should we carry and what do we need to do here at the town in order to keep them moving forward? He is sure that the roads are important to the residents. He's sure that development is important to all of us here and of course, he is always concerned about cash and debt. We have one last union contract to go and he is very hopeful. Union negotiations have been very interesting to him and it's one of those things that they need to do here and he is very hopeful that we can get through it. He again told Supervisor Corl that he has done a great job here with what he was handed and to the Board as well. He thinks they have worked together as a team and there has been very limited biting of each other. It's been a good time of growth at the town and he thinks it's a good story today. He is satisfied with the budget they have presented.

Supervisor Corl thanked Councilor Burtis and everyone for their comments. He thinks they have done a good job and the Board has worked *very* hard. The Department Heads have also worked very hard and they should be commended. Jim Rowley, everybody up here has attended meeting after meeting to develop the final product here and he is comfortable moving forward.

Supervisor moved the adoption of a resolution to adopt the 2014 Preliminary Cicero Town Budget as the 2014 Final Budget with the modifications provided by Mr. Rowley in Addendum A. Motion was seconded by Councilor Zambrano.

Councilor Jennings requested that the Town Clerk, Tracy Cosilmon do a roll call by individual on the budget.

Supervisor Corl said that was fine.

Tracy Cosilmon did a roll call, which went as follows.

Councilor Conway	Yes
Councilor Zambrano	Yes
Supervisor Corl	Yes
Councilor Jennings	No - He still has reservations on some inequities within this and at this time he will vote no.
Councilor Burtis	Yes

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

The 2014 Preliminary Budget with the modifications in Addendum A which was adopted is available on the Town website @ www.ciceronewyork.net or a hard copy is available for review in the Town Clerks Office.

The Preliminary Budget as approved becomes the 2014 Final Budget per Town Law.

PUBLIC HEARING/INFORMATIONAL HEARING FOR THE
2014 FIRE PROTECTION CONTRACTS

Supervisor Corl explained how they developed the fire department budgets. They had workshops with each and every one of the fire departments. Once again, the Town Board visited the departments in August and they did an excellent job. He liked having the opportunity to visit the fire departments, to see the apparatus, to see the facilities that they use to provide such an important service to our Town residents. Every one of them was very, very, great to deal with this year and he commends them for all their service to the Town and their hard work.

Proof of publication and posting was presented to the Town board by Town Clerk, Tracy M. Cosilmon.

The public notice read as follows:

PUBLIC NOTICE
TOWN OF CICERO

Please take notice that a public hearing will be held by the Town Board of the Town of Cicero at 5:30 p.m. on Wednesday, October 23, 2013 at the Cicero Town Hall, 8236 Brewerton Rd. (Route 11), Cicero, NY 13039, to consider the 2014 Fire Protection Contracts. The contracts and amounts to be considered are:

<u>Protection Area</u>	<u>Amount</u>	<u>Service Award</u>	<u>Total</u>
Brewerton	\$343,786.00	\$45,314.00	\$389,100.00
Cicero	\$363,989.00	\$75,000.00	\$438,989.00
South Bay	\$295,496.00	\$36,414.00	\$331,910.00
Bridgeport	\$130,000.00	-----	\$130,000.00
Village of North Syracuse	\$247,324.00	\$18,644.00	\$265,968.00

All persons wishing to speak for or against the contracts are invited to attend.

By the Order of Cicero Town Board

Tracy M. Cosilmon, Town Clerk

DATED: October 13, 2013

**TOWN BOARD OF THE TOWN OF CICERO,
COUNTY OF ONONDAGA, NEW YORK
BY: TOWN CLERK**

Jim Rowley, Budget Officer read off of the above listed numbers and stated that in total that the amount that we are letting for the Fire District contract is going up from \$1,511,194 to \$1,555,967. The tax rate is increasing from \$.86 cents per thousand of assessed value to up about \$.88 cents per thousand of assessed value (about \$.02 cents per thousand of assessed value).

Within reason, all of the fire districts came in on a total basis within the 2% or so that we talked about.

Supervisor Corl said they were told anywhere from 2% to 4% maximum.

Jim Rowley read the totals for each Protection Area (listed above), which came out to a total of \$1,555,967.

Supervisor Corl asked if those totals were inclusive of the LOSAP numbers.

Jim Rowley said that was correct.

Deborah Gardner asked what LOSAP stood for.

Supervisor Corl said LOSAP stood for (Length of Service Award Program). It's retirement for firefighters.

Jim Rowley echoed Supervisor Corl's comments and said that the fire departments were very cooperative.

Public Hearing was opened at 6:50 p.m.

Speaking for –

A resident said she had an alarm system at home and if the alarm goes off, she gets a call first to see if they need help. But, she has a red button on her alarm system and if she presses it they don't call first they send the fire department out first. She has been very fortunate that she's never had a fire, but it's comforting to know that they are very close by and they respond very rapidly. She is sure that there is money that could be saved in this budget, but these people work; their volunteers, they work without pay and sometimes they risk their health or their lives, so she appreciates what they do and she hopes that they'll pass this budget.

Mark Venesky said he had an opportunity to go to an awards ceremony last Saturday at Station 1 and it was very humbling for him. When you take a look at what our police officers and our fireman do, in this case, actually entering a burning structure and saving someone who is trapped on a second floor and emergency services in another instance where a man had gone into full cardiac arrest and was dead, and was brought back, he thinks the \$.02 cents that we are looking at is a bargain when it comes to our fire contracts increase. It was a very humbling experience because we are surrounded by some very heroic people and he thinks they rightfully deserve our support with this.

Speaking against – None

Public Hearing was closed at 6:54 p.m.

Supervisor Corl solicited any comments or discussion from the Town Board.

Board Comments

Councilor Conway, (who was also a past Chief at South Bay Fire Department), stated that the fire departments in the town of Cicero have a lot of people to protect. There were several other chiefs at this meeting and as far as payments for what we get - it really is not a lot of money for the action and the costs that it costs us today to maintain the fire departments.

Councilor Zambrano commented on how the three speakers just before her had spoken eloquently and she doesn't think she can say it better. She has a debt of gratitude to our volunteer fire departments that do a great job under sometimes limited circumstances and she appreciates the fact that they recognize budget constraints and they worked very closely with us to make sure that they were being responsible to the public. This budget has her support.

Councilor Jennings said the last two years this group has, under a thought Supervisor Corl had, gone out to each and every fire department and that was one of the biggest eye-openers that he could have imagined. As they go to each fire department, and see what equipment they have, what their working with, what they need and they tell us the numbers are out there and he guesses the bottom line is that he agrees with this budget. But, he would like to tell each individual resident that when these fire departments have their open house or you're out driving around STOP IN! They will show you exactly what you get for your money and it's a heck of a lot – so thank you!

Councilor Burtis said what everybody said is all true. It is a great deal here in Cicero as far as how much we spend. He would just remind everybody that those big, mostly red trucks in Cicero are *very* expensive. The equipment is very expensive and the volunteers do a great job. The leadership at each station is fully committed. When you run into a

burning building you are fully committed and they've had a lot of changes in their world and it all costs money. He thanked them for all they do and for being here. He told them how much he appreciates it.

Supervisor Corl moved the adoption of a resolution to adopt the 2014 Preliminary Fire Protection Contracts as presented and adopt them as the regular contracts for the 2014 Budget. Motion was seconded by Councilor Jennings.

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

Supervisor Corl announced that there would be a short break before they began the Regular Town Board meeting.

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

Supervisor Corl moved the adoption of a resolution that all actions taken tonight are Type Two (2) or Unlisted actions under the New York Environmental Quality Review Act unless otherwise determined. Motion was seconded by Councilor Conway.

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

APPROVAL OF TOWN BOARD MEETING MINUTES

Councilor Jennings moved the adoption of a resolution to approve the October 9, 2013 Regular Town Board Meeting as presented. Motion was seconded by Councilor Zambrano.

Ayes- 4 and Noes – 0. Abstained – 1 Councilor Burtis
Motion carried. .

BUDGET MODIFICATIONS

Councilor Burtis moved the adoption of a resolution to approve the following budget modifications as presented:

TOWN BOARD MEETING
10/23/2013

2013
BUDGET MODIFICATIONS

FROM	\$	TO
A1620460 Buildings Contracts	92.00	
A162044 Buildings Security	142.00	
A16204052 Buildings Mats	216.00	
A162043 Buildings Custodial	160.00	
A141044 Town Clerk Code Book	200.00	A1620406 Buildings – Police
A715041 Parks Utilities	500.00	
A715043 Parks Porta John	150.00	
A715045 Parks Misc	100.00	A715040 Parks Supplies
A711045 Parks Improv/Rehab	900.00	A711040 Parks Supplies
B801048 Zoning Computer Software	13000.00	B80104 Zoning Contractual (Office Remodel)
B80104 Zoning Contractual	700.00	B801043 Zoning Car Repair
B312042 Police Auto Repair	1000.00	B312041 Police Uniform Expenses
B31201 Police Personal Services	1905.08	B31201H Police Holiday Pay – 830.08
		B31201L Police Longevity Pay – 1075.00
B312042 Police Auto Repairs	4000.00	
B31201 Police Personal Services	4000.00	B31201 OT Police Personal Services OT
SD85401 0400 Drainage Personal Services	3600.00	SD85404 0400 Drainage Contractual (Chittenango Crk)
SD85401 0400 Drainage Personal Services	7428.16	SD85404 0400 Drainage Contractual (Price Chopper)

2013 BUDGET AMENDMENTS

	Revenues	Appropriation
STEP Grant B3389STEP	3972.08	B31201D OT Police Personal Service OT

Motion was seconded by Councilor Zambrano.

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

PRESENTATION BY SCOTT STRACHAN FROM SYRACUSE SIGNALS –
(Regarding traffic signals in Cicero- more specifically Circle Drive traffic signals)

Supervisor Corl introduced Scott Strachan from Syracuse Signal and his team. They had a presentation relative to the lights on Circle Drive.

Scott Strachan said as of now, the three intersections along Circle Drive, which are South Bay Rd., the Hogan/Frontage Rd., and the entrance to Drivers Village, are the three that Syracuse Signals maintains. Right now the County has agreed to take over the South Bay Road one with some modifications; which will be pedestrian crossings, (which have been installed).

Scott Strachan said they are pretty close to being done on the complete project. All three of the intersections, all the traffic signals themselves have been replaced, all the wiring is new, and all the new span wires have been completely redone. So with that in mind, the last part of this is the cabinets. The cabinets are on order and they should be in within the next two weeks. These are state of the art cabinets that are going to be able to do everything that we need them to do, especially for the County. So they can move cars out of there as quickly as possible; they'll have overlaps on them so that you can turn different directions while the lights are still red on that one side. The hope of this is, to which they've talked to, is the Hogan and Frontage Road gets turned over to the Town to maintain, after Driver's Village, Roger Burdick has paid for the complete upgrade. The upgrades are all being done to County and State specs; all this equipment is State approved. It is state of the art stuff.

They will probably finish in about a month from now. Once all the cabinets are installed and they do all their testing, they will then turn it over. That's where they are as of today, and they are just doing some landscaping right now.

Supervisor Corl asked Scott if he could talk about the history of the signals and asked how outdated they were.

Scott Strachan replied that a traffic signal is good for approximately 20 years, so in other words the equipment is good for 20 years and the span wire is good for 20 years. This has outlived its life that's for sure and now it's all brand new. It's all LED and before they were bulbs. The cabinets are being installed with new computers; everything can communicate between all of them right down through so they will be able to move traffic to whatever they need to. They will also do the programming of this before they turn it over to the County, and then the County will also implement what they want to into this program. They worked very closely with the County and they are telling them what they would like in this, so they are providing that to the County also. They will turn this over to the County in about a month or so, as far as the South Bay/Circle Drive intersection. The Frontage Road will remain Roger Burdick's Driver's Village and then the other one will be turned over to the Town of Cicero if it's been approved. He guessed that there's a vote to proceed on that.

Supervisor Corl explained that they would just need a resolution to accept them. The question that they have is once the Town does accept them; from their other conversation, after the last board meeting, it sounds like once the maintenance costs, really, once their upgrading is done is very minimal.

Scott Strachan agreed that it was very minimal. They wouldn't be getting any maintenance for the first year, because he will warranty everything for the first year. If anything goes wrong there they will come up and repair it for free or whatever, unless it gets hit by a car of course, then it will be insurance. The maintenance being probably right around the \$150- \$200 mark, and they'll know more as they go along.

Supervisor Corl asked if there were just two lights that the Town had.

Scott Strachan replied just the one.

Someone said there was two.

Scott Strachan apologized and said that was right, there are two.

Supervisor Corl asked if it was the one where you drive into Driver's Village and the one on Hogan.

Scott Strachan replied that was correct.

Councilor Burtis asked if Mr. Burdick would still own the one and if we would take over the other.

Supervisor Corl said his understanding was that we would take over two of them. He told Scott he thinks he may have misspoken because there is one on the Town road.

Scott said the Town road would be Frontage, Hogan and Circle Drive and then Circle Drive and the entrance way.

Supervisor Corl said that was correct.

Councilor Zambrano asked if there was a projected day that the County is going to take over the South Bay light.

Scott Strachan answered that there was not a date as of yet. He has to finish his work and they are waiting on the cabinet, but as soon as they get the cabinet the County will be out there to do an inspection, that type of thing on it and go through it all, so it would probably be within a month because the cabinets should be within two weeks and it will take a day to put them in and then another couple of days to test, to time them, do all the timing on them, watch the traffic, they do all of those things.

Councilor Burtis if the cabinet has the brains in them.

Scott Strachan replied that it does, the controllers.

Councilor Burtis asked where the cabinets were going to be on the two that the Town is going to get.

Scott Strachan replied that the cabinet for the Driver's Village entrance way is over on that property where the old P&C store used to be, up on that side and then up on the Hogan/Frontage Circle that is over by the southwest corner where the Chase Bank was. These all have new loops in the road and all that to detect cars, where you can tell what's happening, you're not going to be sitting there at night waiting for a light to change or any of this anymore, it's all pretty smart stuff.

Councilor Burtis asked if they (Syracuse Signals) are going to continue to maintain them, going forward, for the Town and the County.

Scott Strachan replied they will for the Town, but not for the County. The County will maintain their own because they have their own traffic signal people. Once they get it up to the County's spec (what they wanted), then they'll come in and they'll take that all over. Syracuse Signals will maintain, it's up to the Town, as far as Syracuse Signals end of it goes, they will maintain the other two. They'll get a proposal out to show them what it is and they are welcome to check with other traffic signal companies that do this type of work.

Councilor Zambrano asked when the lights go from the three-color light function to blinking, if that means that there's a malfunction.

Scott Strachan replied that is a malfunction that is correct. He explained that under their contract, (and they maintain many traffic signals), they maintain all of the city of Cortland, and in Syracuse about 45 traffic signals that are privately owned. They have a two-hour response time, so they have to be there within two hours and if they have to they set flaggers up, they have stop signs, and all of that. But, along with that maintenance also comes, if a car hits it, knocks it over or whatever, they will come in and put wooden poles up very quickly, put traffic signals up and within a couple days they will have a traffic signal in that location; that's what the maintenance also comes along with, they deal with insurance companies and all of that. Their contract is pretty straight forward.

Supervisor Corl asked Scott about the light at South Bay where there is that NO RIGHT ON RED sign. He has written to the County before and they've always told him that once this is done they are going to evaluate it and potentially see if that sign is necessary. He asked Scott if he had any discussions with the County particularly regarding that NO RIGHT ON RED sign.

Scott said he had. As of right now, he thinks that really does need to be evaluated. He thinks the County will take whatever they recommend. His feeling is that they have to be very cautious there because it has now become a pedestrian crossing. Maybe there should be a pre sign that

says WATCH FOR PEDESTRIANS, but everybody has the option available to put something forward here and talk to the County when we do look at this.

Scott Strachan said that the lights will all be timed together

Supervisor Corl told Scott they appreciated him coming in and giving an update because they have gotten a lot of questions from residents.

PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM COMMERCIAL TO
GENERAL COMMERCIAL PLUS FOR THE PROPERTY LOCATED AT
7800 & 7802 BREWERTON RD (Route 11) (Tax Map No. 036.-04-19.0)

Supervisor Corl said the property is adjacent to Kopp Ave. and it also the former site of Sam Dell years ago and recently Luciens. Supervisor Corl asked Hal Romans to give a brief overview of the project, the zone change and what he is looking for.

Hal Romans, Surveyor and Planner for the applicant, showed the parcel on the overhead screen. He said at one time the parcel was the Sam Dell car dealership. It was most recently Lucien's Entertainment and it is currently zoned General Commercial, so it is allowed to have certain, fairly intense uses there. Unfortunately, his clients want to put in something that fits more into the General Commercial Plus; it is not a bar/restaurant it is an Admar Supply Company (he showed a picture to the audience of what their facilities typically look like). The applicant has really outgrown their local site and this site here would fit their need currently and in the future. They like Cicero, their under contract to purchase, subject to getting the proper zoning. If they get the zoning then they would come in for the site plan process and go thru the Planning Board for that. Really, what the difference between General Commercial and General Commercial Plus is that the Plus allows a few more different uses and it also gives some discretion to the Planning Board to have other uses that the Planning Board finds that such proposed uses meets the Statement of Intent that is in the same general character and intensity that those uses allowed. And it goes on to say the Planning Board is authorized to construe this subsection liberally and broadly so as to allow coexistence between commercial and light industrial uses in the General Commercial Plus district. So this Town has adopted this General Commercial Plus, just as other towns have done so, to allow certain uses that were typically regulated to industrial zones into a more commercial zone area. The problem that you usually run into with Admar or places like that is that you have rental sales, but you also have some retail in the fact that some people will come in and actually buy a piece of equipment directly from them. This property here is set up ideally for them in the fact that they can get site plan approval, they'd be to do whatever necessary, minor repairs that they have to do in-house there. Typically, with their equipment, they have that on the schedule where when it reaches a certain date it is automatically put into a sale so that they get rid of it. They don't have used or parts equipment outside, they try to make everything neat and clean. The whole idea is that these people frequenting these facilities will come in to rent equipment that's running and fairly new. If somebody wants to come in and get a generator or a powered posthole digger or something like that, they cater to both residential and commercial contractors. Really, this Commercial Plus district is just going to allow them to utilize this property in the way that they want to. It already, with the current zoning, allows for a bar/restaurant/automobile sales, etc., this just gives us that level that we need for this type of facility. It's located on Route 11, which is a highly commercial, arterial highway, and they would really be striving to use existing curb cuts. The applicant knows that they would have to go through the whole site plan review process. Their business hours are typically 7:00 a.m. to 5:30 p.m., Monday thru Friday, with usually like a shortened day on Saturdays. Saturdays, are typically when a lot of commercial contractors return equipment because they are done with it at the end of the week and you'd get some residential people coming in to maybe rent something for that Saturday. So, unlike Lucien's that was there, this place will pretty much shut down at 5:30 p.m. and be back up and running at 7:00 a.m.

Councilor Zambrano asked Hal if that whole block is zoned General Commercial.

Hal Romans replied that was correct.

Councilor Zambrano asked if they were talking about changing this parcel to General Commercial Plus.

Hal Romans replied that was correct. It's about a 3.4 acre parcel. He's seen in other towns where they enacted zoning similar to this and they use that for this type of company that wants to come in and sometimes, they look broadly if they have a number applications come in over time and say maybe should change a certain area from block to block. But usually, a lot of the towns, what they do, is wait to see if they get multiple requests.

Councilor Conway asked Hal if they were going to use both buildings or just the main building.

Hal Romans replied that he believed the intent would be to try to use both buildings. The whole site is what they are going to utilize. The whole idea is that they need a place where they can operate and grow and this really provides that - it's a great location for them.

Councilor Burtis told Hal that it didn't appear that it includes that little plaza that's next to Route 481.

Hal Romans said if he meant the triangular piece, then no. That is owned by somebody else. He showed Councilor Burtis the area the site included on the overhead projector.

Supervisor Corl said he didn't have the minutes from the Planning Board Meeting, but he knew the Chairman had been there (Bob Smith). He told Bob Smith that it was his understanding that there was a positive recommendation made to the Town Board and asked if Bob would explain it.

Bob Smith explained that Monday night the Planning Board voted unanimously to recommend the change to General Commercial Plus. They've had a lot of inquiries in the past few months; they've had a number of different uses, they've had 4 or 5 site visits where they met potential developers such as bus companies, a motorcycle dealership, and a rock club. They have to consider anything that comes in, and all of those uses fit General Commercial. This use came in, and these people do a lot of business across the state, it seems to fit, so that the neighborhoods are protected because their hours fit nicely, their business is very limited, and it's low traffic. The Planning Board's concern is if they get another auto dealer (which would be very hard for them not to approve). The traffic is tough there. These folks operate where most of their stuff goes out in the morning or comes back; it flows nicely with our traffic. That place has to get filled. It is commercial. They are paying taxes and they have a right to use their property and this use seems to fit better with General Commercial Plus, than General Commercial and it seems like an opportunity for us to get a storefront filled and protect the neighbors because with site plan they've already agreed to do certain things there.

They (the Planning Board), had held a public hearing on this and some of the neighbors were there and after looking at everything, they'd like to see if they can work with these folks and get a site plan together and put in every effort to make it clean. The Planning Board did approve it with a unanimous recommendation.

Councilor Zambrano said she was at the Planning Board meeting on Monday night and there were a number of residents from Kopp Ave. that expressed their concerns. She thinks they were satisfied with the discussions that the Planning Board had and with the plans to do the Site Plan Review and all of that.

Bob Smith explained that they, customarily, at Planning Board meetings they don't hold public hearings. But, they are going to hold another public hearing before they do the site plan or as part of the site plan process because they want all the people from Kopp Ave. to come up and meet the folks that are applying and want to become neighbors to see if they can work out something that works well for everybody. They can't keep it forever,

and this use seemed to be applicable, but they would hold a public hearing as part of the site plan process so that they can get everybody together and work out the fence (they want the fence). The applicant is also going to do some more landscaping to protect the property even more.

Councilor Zambrano thinks the public hearings that they are holding are very good because it allows for public input.

Bob Smith said that if everybody is going to be neighbors it is a little easier for them if we can hold a public hearing and they have a chance to ask questions.

Councilor Zambrano said the residents could express their concerns and have them addressed.

Supervisor Corl noted that they are still waiting for the County referral to come back and they need it before the Board makes a final decision, but, they can still move forward and have a public hearing. This evening, when he opens the public hearing he is going to first ask if anybody has any questions as opposed to what we typically say which is whether you are “in favor” or “opposed “ to this project. A lot of people just have general questions, so when he opens the public hearing he will ask for that and then ask for “pro” and “against”.

Proof of publication and posting was presented to the Town board by Town Clerk.

The public notice read as follows:

TOWN OF CICERO PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that there will be introduced before the Town Board of the Town of Cicero, County of Onondaga and State of New York, an application to consider a **Zone Change from Commercial to General Commercial Plus for the property located at 7800 & 7802 Brewerton Road (Route 11), Tax Map No. 036.-04-19.0.**

PLEASE TAKE FURTHER NOTICE that the public hearing will be held on the aforesaid application at the Town Hall, located at 8236 Brewerton Road, Cicero, New York 13039, on the **25th** day of **October 2013**, commencing at approximately **6:30 P.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

DATED: October 13, 2013

**TOWN BOARD OF THE TOWN OF CICERO,
COUNTY OF ONONDAGA, NEW YORK
BY: TOWN CLERK**

Public Hearing was opened at 7:26 p.m.

Someone asked if they would be liable to fix the fences that are literally falling down. He said he has an inground pool and the fence was down for a month and nobody came to fix it. He called Cicero three times and they said they would get on it and finally, they came and fixed his next door neighbors. He had already put his up because he has a dog and a swimming pool that he is liable for if somebody walks in there and drowns. It took three more months to get somebody in there and fix the fence.

Supervisor Corl said that he thinks that once the zone change is done and it goes to site plan, as Mr. Smith indicated, the Developer will come in and work with the homeowners. He knows Mr. Tortora has a fence issue also.

Mr. Tortora said they fixed it.

Supervisor Corl explained that Bob Smith definitely encourages the developers that come in to work with the residents to make it a viable and a good project for both, so he is confident that is going to occur here.

Supervisor Corl asked if anybody else wanted to come up and ask any general questions about the project.

Questions – None

Supervisor Corl asked if anybody would like to speak against the project.

Speak against - None

Speaking for –

Don Snyder said we are going to have another place that we can go and rent tools. He definitely thinks that this is an improvement. He agrees with his neighbors - we don't need anything that makes large noises other than maybe during the day. He thinks it is a great project and he is glad that we are going forward with it.

Mark Venesky asked how many people this would employ.

Someone replied 30 people new to Cicero.

Supervisor Corl said there were 30 new jobs and they are located at another municipality right now.

Mark Venesky asked if they would be hiring there or would folks be transferring in.

Someone answered that there will be an opportunity to hire people. They are growing the branch as a result of this relocation, but this is very currently an Admar branch, in Syracuse and this is their relocation.

Mark Venesky stated that anything that's going to increase our tax base and put people to work in the Town of Cicero. He applauds the work done by the Planning Board and welcomed them to the Town of Cicero.

Tom Beaulieu had a general question, having been on the Planning Board himself, he asked if the basic floor plan is going to stay the same as it is now. And without the Assessor there, he assumed that the tax that we would assess this property as is based on the square footage and not whether it is changed from one zone plan to another, but basically the foot plan that's already in place - if they don't expand the building.

Supervisor Corl said it makes sense.

Tom Beaulieu asked if they were waiting on the County. Could he assume that it's because it's within 500 feet of the county road (Bear Rd.) or something, or is that part of...

Supervisor Corl explained that any zone change we refer out to the County for their board to give us input on and what we did in this case is the application was received and we wanted to get the project moving and help the developer as much as possible, however, with the coordination of when they have their meetings, (they haven't had one since the application was filed), so the referral was made, but not to make their meeting.

Tom Beaulieu asked if it was correct that they were just asking the county to participate in this, but technically they don't need their approval.

Supervisor Corl explained that was state and standard protocol with any zone change, he always sends that to the County for a referral on any zone change within the municipality of the Town of Cicero for their planning board. Since January of last year, for any zone change they send a referral to the County just for their input, good, bad or indifferent; the County has given us positive and negative referrals, but we make our own decision.

Supervisor Corl asked Robert Germain if that was standard protocol for most municipalities.

Robert Germain replied that it is. It is our decision.

Supervisor Corl asked Robert Germain if it was required.

Robert Germain explained that it depends on the application, whether or not it's close to a road and so on. They evaluate the application and make that determination (the Codes Department does).

Supervisor Corl said no matter what, it is always good to have the County's input on it; whether or not we agree or disagree.

Speaking against – None

Public Hearing was closed at 7:35 p.m.

Supervisor Corl stated that they would defer decision until the next board meeting to be held on November 13th, and by then they will have the County referral back, but it sounds like everything has been positive.

Supervisor Corl solicited any board comments.

Board Comments - None

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE FROM AGRICULTURAL
TO GENERAL COMMERCIAL FOR THE PROPERTY LOCATED AT
6262 STATE ROUTE 31 (Tax Map No.s 051.4-12-01.0 & 051.4-12-02.1)**

Proof of publication and posting was presented to the Town board by Town Clerk.

The public notice read as follows:

TOWN OF CICERO PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that there will be introduced before the Town Board of the Town of Cicero, County of Onondaga and State of New York, an application to consider a **Zone Change from Agricultural to General Commercial for the property located at 6262 State Route 31 (Tax Map No.s 051.4-12-01.0 & 051.4-12-02.1).**

PLEASE TAKE FURTHER NOTICE that the public hearing will be held on the aforesaid application at the Town Hall, located at 8236 Brewerton Road, Cicero, New York 13039, on the **25th** day of **October 2013**, commencing at approximately **6:30 P.M.**, local time, at which time all interested persons will be given an opportunity to be heard.

DATED: September 25, 2013

**TOWN BOARD OF THE TOWN OF CICERO,
COUNTY OF ONONDAGA, NEW YORK
BY: TOWN CLERK**

Supervisor Corl asked the applicant to come forward and explain why they were seeking this zone change.

Carmen Cesta is the applicant. His father Mike stated that they wanted to change the zoning from Agricultural to General Commercial and then eventually put up a building.

Supervisor Corl acknowledged that they currently have a business in town.

Mike Cesta said yes they did. Carmen Cesta currently owns Doggy Day Care, Carm's Dog House, which is located by Fastrac.

Supervisor Corl asked if Carmen's intention was to acquire this parcel and potentially move his business there.

Mike Cesta replied yes. That he also wants to put up an 80' x 40' building (there are two houses on the property now).

Supervisor Corl said obviously with the current zone classification, what he wants to do doesn't fit what he needs to do there.

Mike Cesta said he was discussing it with the Town. He guesses that it's the best way to go for an unencumbered property, how much you need to do the project and the residential property would just stay because it would be grandfathered.

Supervisor Corl he thought that the parcel that Mr. Cesta is asking for is from Agricultural to the General Commercial only.

Councilor Zambrano asked where they are located right now.

Mike Cesta replied right next to Fastrac, across from the new Dunkin Donuts on Route 31.

Councilor Zambrano said she was surprised when reading the application that it was zoned Agricultural on Route 31.

Supervisor Corl said the property was next to Spera's.

Mike Cesta stated that everything there was General Commercial.

Supervisor Corl said it was.

Supervisor Corl solicited any further questions.

Questions – None

Supervisor Corl said the Planning Board Chairman had left the meeting, but they had received a positive recommendation for the zone change from our Planning Board and we do have the referral back from the County Planning Board, however, it does note issues relative to the Oak Orchard Wastewater Treatment Plant but doesn't provide any other information relative to the zoning itself and obviously this is more of a commercial zone in that area.

Public Hearing was opened at 7:40 p.m.

Speaking for – None

Speaking against – None

Public Hearing was closed at 7:40 p.m.

Supervisor Corl solicited any comments or discussion from the Town Board.

Board Comments

Councilor Conway said he thought it was a good place for the applicant to do what he wants to do.

Councilor Zambrano stated that the Onondaga County Planning Board suggested that we not approve the project because of the constraints in Oak Orchard. She asked Bruce Letts from C&S Companies if he had a chance to look at this. She knows what the County is trying to do as far as Oak Orchard, trying to limit...

Bruce Letts said he did not have a chance to look at this yet, but at some point, he can't imagine, he's not familiar with how much ... (inaudible). As he understands, it is pet grooming.

Supervisor Corl said from our perspective, he thinks that what we are asking for is a zone change. It's really not an appropriate comment for a zone change because we are looking at land use.

Robert Germain told Supervisor Corl that their decision is regarding the land use. The Oak Orchard situation has been going on for a while and hopefully it's going to get addressed. The law calls for the County, in a situation like this when there's a high BOD (Biochemical Oxygen Demand) count. The County has the affirmative obligation to come up with a plan to address it. What that plan is or what not - we don't know. In terms of what the applicant might need to open someday, to get a building permit, they'd have to obviously have some type of sewage treatment plant. Hopefully, it's addressed by that time. It's his understanding that some of the problem is coming from a high BOD concentration from Clinton's Ditch, their commercial operations and

there may be a fix in the works there, so it's not a forever deal, but it's not really an appropriate..., it's a consideration for this Board, but what they are really trying to determine is land use.

Councilor Zambrano asked if the applicant had received a copy of the County's decision.

The applicant said they did not.

Councilor Zambrano gave him one.

Don Snyder asked Supervisor Corl if they should be concerned. He said he doesn't want these people to end up purchasing this property and then finding out that the solution from the County is that they have to put in a septic system which may cause them financial ruin. He is wondering if there is a way, in fact, that they can now go to the county and get a resolution to this request by them to not approve the project because of the sewer treatment situation.

Supervisor Corl said what they were going to do is, after the zone change is approved, potentially before the site plan they might want clarification on that. He asked Bruce Letts if he could make a recommendation for them.

Councilor Zambrano asked Carmen Cesta if he had purchased the property yet.

Carmen Cesta replied no. It is all contingent on what the Town decides.

Councilor Burtis said technically there are two structures on the property right now, (two separate pieces of property, two different tax maps, two different structures), the larger structure that's on the map, is a proposed building that's currently not there. He asked if that was correct.

Carmen Cesta replied yes.

Councilor Burtis said he read in the brief that they could potentially do some work out of one of those buildings, as they try to move forward.

Carmen Cesta that was correct.

Supervisor Corl had noticed that Hal Roman had done the survey for Carmen Cesta and asked Carmen if he had anticipated Hal to stay around for the presentation.

Carmen Cesta replied no.

Supervisor Corl solicited any further questions from the Board.

Board questions – None

SEQRA: Councilor Zambrano moved the adoption of a resolution that the application of Carmen J. Cesta for a **ZONE CHANGE** from Agricultural to General Commercial for the property located at 6262 State Route 31 (Tax Map No.s 051.4-12-01 & 051.4-12-02.1) is an Unlisted Action with a completed EAF (long form). The proposed action involves no other permit granting agency outside the Town. The Town has conducted and closed a public hearing upon the application and received a recommendation from the Town Planning Board and the County of Onondaga. The proposed action **will not** have a significant effect on the environment and therefore **does not** require the preparation on a DEIS (Draft Environmental Impact Statement). Motion was seconded by Councilor Conway.

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

DECISION: Councilor Zambrano moved the adoption of a resolution **approving** the application of Carmen J. Cesta for a **ZONE CHANGE** from Agricultural to General Commercial for the property located at 6262 State Route 31(Tax Map No.s 051.4-12-01 & 051.4-12-02.1). To be known as Local Law 11 of 2013. Motion was seconded by Councilor Jennings.

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

APPROVE EXPENDITURE FOR UPDATES OF LOCAL LAWS TO THE
TOWN CODE BOOK AND e-CODE 360 (Town Code Book on website)

Councilor Jennings moved the adoption of a resolution to approve an expenditure in the amount of \$2500.00 for updates of Local Laws to the Town Code Book and e-Code 360 (Town Code Book on website). Motion was seconded by Councilor Zambrano.

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

YOUTH BUREAU, PARKS & RECREATION PURCHASE APPROVALS

Councilor Jennings moved the adoption of a resolution to approve the following purchase approvals for the Youth Bureau, Parks & Recreation Department:

- A. \$1,035.00 (via fees) to Blaze Gymnastics for Gymnastics Instruction
- B. \$1,250.00 (via fees) to Steven Jones for Basketball Instruction
- C. \$2,738.00 (via fees) to N. Syracuse Central School District, Treasurer for School Use for Fall Programs
- D. \$3,000.00 (via fees) to John Haas for Basketball Instruction
- E. \$3,000.00 (via fees) to Gary Dembkowski for Basketball Instruction
- F. \$3,473.00 to N. Syracuse Lawn & Snow for misc. parts for winter overhaul of John Deere mowing equipment
- G. \$1,675.00 to Lowes for picnic tables repair and construction

Motion was seconded by Councilor Conway.

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

HIGHWAY DEPARTMENT PURCHASE APPROVALS

Councilor Burtis moved the adoption of a resolution to approve the following purchase approvals for the Highway Department:

- B. \$1,300.00 to Thompson & Johnson for Emergency Repair of 18" planer for Bobcat

Motion was seconded by Councilor Zambrano.

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

Chris Woznica clarified that the new bobcat did not break down. It is a piece of equipment that they currently own and is about 8 years old. It's the attachment to the bobcat that broke.

DISPOSE OF OFFICE FURNITURE IN ZONING DEPARTMENT AND
DECLARE AS SURPLUS

Councilor Zambrano moved the adoption of a resolution to dispose of the following items and declare as surplus as they are in disrepair:

- A. Two (2) Wooden shelving units
- B. Six (6) Metal filing cabinets
- C. Three (3) Map filing cabinets

Motion was seconded by Councilor Jennings.

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

PUBLIC INPUT

Deborah Gardner asked the Board to please explain BOD and the implications for the people that were sitting there.

Bruce Letts explained that BOD stands for Biochemical Oxygen Demand, and basically it's relative to the strength of the sewage, how much oxygen it will use up, and decomposing, and apparently Clinton's Ditch is overwhelming their Oak Orchard Sewage Treatment Plant and so there's been like a moratorium on additional hook-ups and connections especially for new construction and therein lies the problem with the previous zone change. But, the BOD is a relative strength of how strong your sewage is.

EXECUTIVE SESSION

Supervisor Corl stated that there was no necessity for an executive session.

ADJOURNMENT

Motion was made by Supervisor Corl to adjourn the Town Board Meeting. Motion was seconded by Councilor Zambrano.

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

There being no further business before the board, the meeting was adjourned at 7:54 p.m.

Tracy M. Cosilmon
Town Clerk