



## 2014-2015 Report

12/17/15

It is my belief that our town's residents deserve a report periodically on the state of the town and I am here sharing a summary of key events and issues our town addressed during my two years as your Town Supervisor, a position I enjoyed and in which I proudly served. Like you, Cicero is my home.

All achievements and other progress in this report were done with team involvement. Our Town Board, our Planning Board, and our town managers and employees deserve full credit for all achievements. I take full responsibility for any unfulfilled challenges or missed opportunities. In leaving this Office, I offer my thanks to all who made these two years a productive experience. There were many challenges, and also many successes. I am proud to share here with you my report.

*Jessica Zambrano, Supervisor*

### **The Ethics Issue**

In April 2014 charges of conflict of interest and misconduct were leveled against me. Other prominent members of the community were also named in the complaint that was sent to the New York State Comptroller and the Onondaga County District Attorney. As I anticipated, I was absolved of all charges as I had done nothing wrong, but my concern for the town was that the issue was unnecessarily disruptive to Town Board management. Two letters from Town Board Councilors and three phone calls to the Comptroller did not result in any investigation.

So, the Town Board decided to activate the Ethics Committee. The Ethics Committee opined that there was a conflict of interest and the Town Board forwarded the report to the New York State Attorney and Comptroller for review. No action was taken by either office.

In February 2015, a Petition of Notice was filed by a private citizen asking that I be removed from office. In October 2015, a panel of four judges of the Fourth Judicial Department of the Appellate Division of the New York State Supreme Court found that all charges were unfounded.

What was most apparent in hindsight is that the standing procedure for the past decade has been that the town board members (the ones best positioned for committing serious ethics violations within the town) are the very ones who define the members of the ethics committee, a group that received no formal training in ethics investigations. Further, the town code's procedure implicitly acknowledges the political challenges inherent in the process because it defines how political parties are to be represented in the committee membership.

This is wrong. I respect that our town board members did due diligence in interviewing potential ethics committee members, but this is a process best done by others, and the very process of soliciting those interested in being on the committee opens the opportunity of self selection. For any organization, whether a town board or a business's board of directors, the issue of ethics violations must be investigated by persons with no affiliation with the organization.

Further, such investigations should be managed by a group professionally prepared for the task as that reduces the possibility of said report being leaked to the media, which occurred in this investigation.

Therefore, my recommendation to the next Town Board is to disband the Ethics Committee and update our town code to seek external advice for any future accusations of town employees. Our town employees and our residents will be better served. While I personally regret that a group of prominent citizens was subject to the accusations that proved unfounded, I believe we can all learn from such experiences. The lesson I see is that our Town cannot afford to assume the role of self policing the issue of ethics.

## **Taxes**

Yes, taxes are going up. None of us on the Town Board wanted this, but the town has bills to pay. We conducted many sessions to work through our options but, regrettably, taxes increased by a greater rate this year. This is due to many factors.

First, past administrations had not wanted to make those hard decisions to increase taxes while maintaining the level of services to which Cicero residents are accustomed. Instead, tax increases were either non-existent or very small and the reserve fund was raided year after to year to make up the deficit. Also, repair and replacement of roads was minimal for several years. As the tax rate remained flat, costs of running the Town increased.

In 2016 the Town will see an increase in many items. Workers Compensation will increase by \$50,000. The town is purchasing a piece of property for a sorely-needed highway town barn. The aging sewer infrastructure demands a yearly investment of \$120,000. Health benefits for town employees will increase by approximately 22% or over \$270,000. The highway department needs new heavy equipment. The former South Bay Fire Department facilities will be renovated to accommodate the Police and Justice Departments. This adds \$50,000 to next year's budget. Parks and Recreation needs to renovate a pole barn to add insulation at the cost of \$58,000. Pay raises for most town employees are governed by contracts so cannot be changed.

This increase for 2016 may not be the end. Taxes will likely continue to increase in 2017 until income matches outgo. Fixing the problem caused by many years of little or no tax increases takes time.

## **Departmental Restructuring**

**Codes Office.** In response to numerous complaints that the Office of Code Enforcement was inconsistent with code enforcement, was ineffective in managing required certifications and drainage complaints, and was generally not productive, a study into these matters was initiated in 2012.

The objectives of the study were to review staffing, functionality, and work performance productivity of the Codes Department. The report was completed in 2013 by an area consultant, a well-respected codes director who had recently retired after many years experience in a town the size of Cicero. The consultant, after spending a number of weeks in direct observation of the Codes Department, made the following recommendations, of which recommendations 2 through 6 were implemented under my tenure as supervisor, starting in 2014:

- 1) Appoint a full-time Director (Richard Hooper was hired in December, 2013);
- 2) Eliminate all part-time Code Enforcement Officers and replace with three full-time code enforcement officers to enhance productivity and provide consistency to complete the functions necessary to meet the public, contractors' and design professionals' demands.
- 3) Become a full time department, allowing one Code Enforcement Officer (CEO) to handle fire safety and inspection activities.

- 4) Reconfigure the space of the Codes Office so that the work spaces of the Code Enforcement Officers were separated from the reception desk, creating a more customer-friendly reception area served by the two full-time clerks.
- 5) Develop procedures to formalize the Planning Board, Zoning Board and the department's processes and create a flow chart to identify process and detail.
- 6) Implement the full features of Muncicity software to allow full interaction between the Planning Board, Zoning Board and the building permit process. (Muncicity is a software program that reduces duplication of data entry and allows items to be virtually instantly retrievable.)

In 2014, the rest of the recommendations were implemented: Two part-time CEO positions were eliminated and another was converted to full-time status. A CEO with extensive background in complaint investigations and planning was hired. Those changes resulted in three full-time CEOs to work under the direction of Code Enforcement Director Hooper, who is also a certified NYS CEO.

Under the direction and design provided by Director Hooper, the full-time staff reconfigured two offices and their work spaces into a more efficient work space for all staff members, separating the codes officers from public view and allowing the clerks to establish a new customer reception desk. A new state-of-the-art large format printer/scanner/copier was purchased with grant money. With another grant, all archived documents of the Codes Office were scanned and integrated with the MuniCity software, so that staff can have almost instantaneous access to historical documents when needed.

The result of all these changes is manifested in improved staff morale and increased productivity, resulting in revenues generated of \$121,926 in 2014 and \$157,153 in 2015 (YTD 11/20/15). Here is a partial list of Code Office activities:

<b>Activities</b>	<b>2015 YTD as of November 20th</b>
Residential Building Permits	251
Commercial Building Permits	81
Pool Permits	69
Fence Permits	59
Wood, Gas Fireplace, Heaters, permits	47
Complaint Investigations	397
Electronic message board permits	6
Drainage Complaints/Inspections	85
Building Fire Inspections	403
Fire Notification Active Calls	53
Building Inspections	2,604
Operating Permits	48
Court Cases	16
Planning Board Submittals/Reviews	67
Zoning Board of Appeals Submittals/Reviews/Variances	38
Clerk Interactions with counter activity	2,500

The above numbers stand as proof of the importance of our Codes Office and the continued growth of building activity within Cicero.

**Assessor Office.** At the end of 2014, the Town of Cicero concluded its five-year shared services agreement with the Town of Salina for Assessor Services. This individual worked mornings in Salina and afternoons in Cicero. Interviews to fill a part-time Assessor position commenced. Of the six qualified individuals, Karen Tavernese was selected and appointed Assessor at the Organization Meeting on January 2, 2015. In addition to the part-time Assessor, the staffing at that time consisted of a full-time Appraisal Aide and a full-time Assessment Clerk.

The resignation of the Assessment Clerk in October 2015 provided an opportunity to revisit the staffing in the Assessor's Office. This closer look provided the realization that if we made the Assessor position full-time and hired a part-time Clerk, the Town would actually save money since the collective bargaining benefits of a full-time Clerk position exceed those of a non-union department head. Ms. Tavernese was appointed as full-time Assessor on October 28, 2015, and Gretchen Walter was appointed as part-time Assessment Clerk, effective November 2, 2015.

Ms. Tavernese has continued with the six-year cycle of 100% reassessment program to all Town parcels, in accordance with the plan approved by the State of New York to maintain 100% assessment status.

## **Space Management of Town Facilities**

**Highway Garage.** As everyone must recall, the winter of 2014–2015 was severe, particularly when temperatures averaged nine degrees during the month of February 2015. For a number of years, the Highway Superintendent had complained of the excessive build-up of ice on the highway garage roof, causing a health and safety hazard because of the potential for falling ice. As a result, we asked the Town Engineer for two estimates on how much it would cost to repair the roof or to replace it.

When both estimates came back with a price tag in the hundreds of thousands of dollars, it became apparent that it would be a waste of tax payer money and ludicrous to invest that kind of money into a building that was 50 years old and too small.

As a result, I formed a Citizens Advisory Group in January 2015, headed by Bob Smith and Don Snyder. Their findings verified what many already knew: The building is inadequate in size to house our 36 vehicles, was not functional to support the maintenance of our fleet, was unsafe relative to electrical and ventilation systems, lacked facilities to wash off salt from the vehicles, and was generally too small to keep an organized inventory of vehicle parts and tires, let alone adequate office space, staff lockers, and break room. Please note that when Cicero is experiencing heavy snow storms, the staff works around the clock to keep the roads clear and the winter of 2014–2105 was another record-breaking year for snow fall.

After much discussion and public input, the search for a parcel of land commenced. The Advisory Group also visited other recently-built highway garages and began a search for a design firm to build the highway garage. MRB Engineering of Rochester, with an office in Syracuse, was selected. The Town also has a purchase agreement for a 47.5 acres parcel of land on Route 31 near the Northern Pines Golf Course, but specific contingencies must be satisfied prior to the final transaction.

**Police Department and Justice Court.** The winter of 2014–2015 exposed the precarious housing situation the Police Department staff live through on a daily basis. The current building is a modular building that was donated to the Town of Cicero a dozen or more years ago. The police staff has adapted the building as much as possible, but it was never designed for police activities.

The Citizens Advisory Group again took up the reins to evaluate the building. In addition to the severely leaking roof and inadequacy of the space for police functions, the Group found rotting floor boards, a failing sanitary sewer system, and a lack of staff locker rooms and restroom facilities for female officers and staff. Additionally, there was lack of functional space by which to process arrested individuals.

Assemblyman Al Stirpe contacted me during the Summer of 2015 to say he was interested in finding a use for the vacated South Bay Fire Department building on Cicero Center Road, and did the Town of Cicero feel it could relocate the Police Department to that space. Assemblyman Stirpe also said he would support the concept with a \$250,000 grant if the Town could match it with \$50,000. We jumped at the chance.

For its part, The South Bay Fire Department (SBFD) agreed to sell the property to the Town for \$1 if the Town assumed all the costs of subdividing the property, surveying, title searching, and for the closing. A purchase agreement has been executed and the Town is in the process of generating the paperwork for the subdivision and ultimate purchase. I designated Chief Joseph Snell as the Project Director. He is in the process of seeking other grants to help fund the rehabilitation of the building to accommodate not only the Police Department but also the Justice Court.

As most residents know, the Justice Court uses the same meeting room where the evening Town Board meetings are held. The Cicero Court has become very busy with arraignments, jury and court cases, as well as DWI court, and the usual court days on two late afternoon-evening court dates. Having Court in session during business hours is disruptive to the rest of the Town's offices because the Court divides the two areas of the building.

The current plan is to rehabilitate the SBFD building in two phases, the first to accommodate the Police Department, anticipated for 2016, then to work on the rest of the building to establish a Court Room and office space for the two judges and their support staff by 2017. The two judges have also applied for grant money and are seeking other funding sources.

**Town Hall Realignment.** Even with the anticipated move of the Police Department and planning a future for our Highway Department, that left our Town Hall still cramped, especially considering that our Town Hall was erected back in 1957, a time when the Town of Cicero was just a fraction of the size it is today. Construction of a new building is out of the question at this time and any significant enhancements or expansion are just not in the budget, now and into the near future. To alleviate the cramped working conditions, I directed several internal changes that you will only see by visiting Town Hall.

First, we relocated our Parks and Recreation Department into the Justice area for better space use. In doing so we also achieved more functionality. We also implemented additional security for Justice with installment of bullet-resistant glass and a magnetometer. With the former Justice Department now occupied by the Parks and Recreation Department, we relocated records storage held by the Town Clerk and converted that area into an office for the two judges. These in themselves are not significant events, but in doing so we have extended the life and usefulness of Town Hall and the changes will provide additional space when Justice moves to new quarters.

**ADA Compliance.** While the Town has been aware for a number of years that both sets of restrooms in Town Hall were not handicapped accessible as required by the Americans with Disabilities Act (ADA), nothing had been done. I set out to rectify the situation by appropriating money to convert the restrooms closest to the Municipal Court so that it could accommodate individuals in wheelchairs, following Town Board approval for the entire project. This work was completed in the summer of 2015.

## Financial and Productivity Improvements

**Senior Advocacy.** The Town of Cicero has not in recent history had a dedicated senior advocate whose only role was to deal with the needs of our older citizens and who was available on-site at the Town Hall. In the past the role was filled by a sitting Town Councilor or by a senior advocate who worked for another agency and never was based at the Town Hall.

In 2014 I was fortunately able to allocate a stipend for a Senior Advocate who would have established office hours at the Town Hall and be available by telephone at all other times. Diane Browning was appointed to the Senior Advocate position at the January 2014 Organizational Meeting, and reappointed again in January 2015. Her office has been located within the Assessor's Office so that when senior citizens come in seeking exemptions, she is readily available in person or is referred to her.

Ms. Browning has responded to numerous requests (over 200) for information and assistance. She has pamphlets available concerning such issues as Medicaid, Medicare, veterans' benefits, meals on wheels, etc. She helps seniors fill out applications. Her presence at the Town Hall ensures personal attention and confidentiality. A large number of telephone calls are from seniors who need to simply talk and be reassured. She also assisted me in preparing a seniors newsletter that contained specific information about programs available to seniors at the State and local levels. This newsletter was mailed out to 3,500 Cicero households in March 2014 at no cost to the Town.

In September 2014, with the help of Parks and Rec Director Jody Rogers, Katie Bloss (Neighborhood Advisor for Catholic Charities for Senior Advocacy), and Diane Browning, a Seniors Health Fair was organized and held at the American Legion. This was a day-long event with booths set up by a number of agencies who provide services to seniors. There were informational sessions and entertainment held throughout the day. Approximately 250 individuals attended.

**Veterans Advocacy.** While I was not able to add this position under my tenure, I did recommend that the 2016 Town Board appoint a qualified individual to this position and I am hopeful that the new Town Board will finally fill the position at its Organizational Meeting on January 4, 2016. This is a much needed service, not only for veterans but also their survivors.

## Brewerton Revitalization—Riverfront Park

I am glad to report that because of a lot of hard work by my predecessor Jim Corl, Jr., the Riverfront Park Committee headed by Helen Carroll, project director John Guariglia of Saratoga Associates, and particularly Parks and Rec Director Jody Rogers, we were finally able to get a shovel in the ground and actually start work in the Park in 2014.

The first phase of the work was to add a walking trail through the west end of the park, plant new trees, and install picnic tables. The next phase in 2015 was to widen the walkway along the water, add decorative light poles, and replace the ramps so that they were Americans with Disabilities Act (ADA) compliant. Benches have been ordered and will be installed in the Spring of 2016. The third phase (also completed) in 2015 was to add sidewalks, trees, and street lights along Bennett Street.

As the year 2015 comes to a close, the Town is awaiting word from the various state agencies whether additional archaeological digs will need to be completed. Test pits were excavated in August 2015, and the results included some artifacts, but none that seemed to warrant further archaeological testing. However, that decision is not the Town's.

This is an important decision because the New York State Department of Transportation will not be able to commence acquisition of the two properties along Bennett Street until the artifact issue has been resolved. Once NYS acquires the properties, the final footprint of the park will be completed. The plan for that section of the park includes the addition of a new multi-use pavilion and a reconfigured circular drive with parking.

The Town applied for another grant to help defray the costs of additional work in the park. We just learned during the second week of December 2015, that a grant for another \$121,500 was awarded to the Town. This amount, however, will have to be matched by the Town.

## **Sanitary Sewer Service**

In March 2015 Onondaga County's Director of the Department of Water Environment Protection (WEP) met with the Town Board to discuss its findings of a commissioned study of the Brewerton Treatment Plant's collecting system, i.e., the sewer pipes and other facilities. Much of the study was completed using closed circuit TV monitoring. It was discovered that due to several factors, such as surface water runoff into the sanitary sewer system, storm sewer/catch basin cross connections, broken pipes, cracked manhole covers, etc., there were major deficiencies with inflow and infiltration (I&I).

WEP identified that the estimated amount required to rehabilitate the collecting system would total \$1.671 million, and recommended the Town immediately start developing a plan to make repairs and corrections. To financially assist with that effort, WEP also established a "Suburban Green Infrastructure Program Fund" to make funds available to municipalities with significant problems. With the assistance of the Town engineer Obrien and Gere, the Town applied for and was awarded a grant of \$225,000 in December 2015 for work to commence in 2016. The challenge will be to find funds on an annual basis to ensure that the repairs and improvements to the collecting system continue. It is expected that other grants will be made available.

## **Grant Awards 2014–2015**

### **Parks and Recreation Department**

- \$100,000 from New York State, sponsored by Senator Valesky: Playground equipment and improvements to Central Park.
- \$125,000 from New York State, sponsored by Assemblyman Stirpe: Park improvements to Skyway Park.

### **Police Department**

- Highway Safety Grant (NYS) to pay for police officer overtime to demonstrate use of the Driver Simulator: **\$5,500** for 2015 and **\$5,500** for 2016.
- Police Traffic Services (PTS) Grant (NYS) to fund dedicated traffic enforcement units: **\$7,350** for 2015 and **\$7,800** for 2016.
- Child Passenger Seat Grant (NYS) to fund the purchase of children's car seats and conduct child seat fitting stations: **\$1,000** in 2015 and \$900 in 2016.

- 2014 New York State Law Enforcement Terrorism Program (NYS SLETPP) grant totaling **\$11,018.70** with funds used to train two officers at the federal training center as Active Shooter Instructors, and for the purchase of safety and ammunition equipment for the training.
- 2015-2016 NYS SLETPP Grant for **\$10,000** to purchase, install, and move existing video cameras to the new police building on Cicero Center Road, and to assist with the installation of a security access door.
- *Previously discussed: We anticipate a \$250,000 grant from the NYS Dormitory Authority, sponsored by Assemblyman Stirpe, to convert and rehabilitate the vacated South Bay Fire Department Building to house the Police Department in a first phase and the Justice Department in a second phase.*

### **Sanitary Sewer Rehabilitation**

- **\$225,000** from the Onondaga County Suburban Green Infrastructure Program to repair/replace sanitary sewer pipes and equipment of the Brewerton Treatment Plant collecting system.

### **Highway Department**

- New York State Consolidated Funding Grant award of **\$75,000** to address severe erosion of Oxbow Road adjacent to Chittenango Creek.

## **New and Expanded Businesses**

One of the best bellwethers of a town's growth and strength is the number of new and expanded businesses emerging within the town. Our town has done quite well during 2014 and 2015 in this regard, attracting many new businesses of which this listing is a sampling. We welcome them as members of our overall Cicero community.

Admar Supply Company, Inc. - <http://www.admarsupply.com/>  
 Auto Glass Experts - <http://autoglassexpertscny.com/>  
 Burdick Hyundai (relocation and expansion) - <http://www.burdickhyundai.com/>  
 Carm's Dog House - <http://www.carmsdoghouse.com/>  
 Carubba Collision - <http://www.carubbacollision.com/>  
 CMC Dance (addition) - <http://www.cmcdancecompany.com/>  
 CNY Home Improvements, Inc. - <http://www.cnyhomeimprovements.com/>  
 Contemporary Home Suites, LLC  
 Cottages at Garden Grove - <http://www.cottagesgardengrove.org/>  
 Dairy Queen Grill and Chill - <http://www.dairyqueen.com/>  
 Dunkin' Donuts - <http://www.dunkindonuts.com/>  
 Empire Tractor, Inc. - <http://www.empiretractor.com/>  
 Empower Federal Credit Union - <https://www.empowerfcu.com/>  
 EZ Money Pawn Shop  
 FamilyCare Medical Group, PC - <http://www.fcmg.org/>  
 G. A. Braun, Inc. - <http://www.gabraun.com/>  
 Get Air - <http://getairsyracuse.com/>  
 GJP Italian Eatery - <http://www.gjpitalianeatery.com/>  
 Goodwill - <http://goodwillfingerlakes.com/>  
 Green Planet Grocery - <http://www.greenplanetgrocerycicero.com/>  
 Image Press (addition) - <http://www.theimagepress.com/>  
 J and R Lawns & Landscapes, Inc. - <http://jandrlandscapes.com/>  
 JADAK Technologies, Inc. (expansion) - <http://www.jadaktech.com/>  
 Jimmy John's - <https://www.jimmyjohns.com/>  
 Kandied Kernal Gourmet Popcorn - <http://www.kandiedkernel.com/>



Meadows of Cicero - <http://www.meadowsofcicero.com/>  
Microgame Play and Trade - <http://www.microgameplayandtrade.com/>  
Mighty Taco - <http://www.mightytaco.com/>  
Oil City Customs - <http://www.oilcitycustoms.com/>  
Panda Express - <http://www.pandaexpress.com/>  
Preferred Power Sports (addition) - <http://preferredpowersports.com/>  
Red Wing Shoes <http://cicero.redwingshoestore.com/>  
Rent A Ride of Cicero - <https://www.rentaridenow.com/>  
Ricelli-Northern - <http://ricelli-northern.com/>  
Sally Beauty Supply - <http://www.sallybeauty.com/>  
South Shore Veterinary Hospital - <http://vetcicero.com/>  
U-Haul - <http://www.uhaul.com/>  
Visionworks - <http://www.visionworks.com/>

## Challenges

**High Workers Comp Premiums.** The Town is plagued by very high premium costs for workers compensation coverage. Unfortunately, there have been a number of employee injuries with large awards, which drive the costs of the premium up. In 2014, we brought in a number of risk management consultants who reviewed the Town's policies and conducted risk assessments. An Employee Safety Program was restarted with Codes Director Richard Hooper heading up this group. Much work needs to be done with implementation of an effective accident/incident investigation process and a safety program.

**Employee Performance Evaluations.** While the Town's workforce is dedicated and hard-working, nevertheless, improvements in productivity and customer service should be the objective. Performance evaluations should not be punitive. Department heads and employees would no doubt profit from a structured program that clearly outlines work performance expectations in providing services to the residents of our Town.

**Solar Power.** In 2015, we began exploring the possibility of adding solar power to help defray energy costs in running the buildings on our Town Hall Campus and satellite sites: the CanTeen and the Senior Center. The Town joined a municipal consortium and various municipalities are in the process of being evaluated. The most likely place to install solar panels is at the landfill. If we are able to generate additional energy, some benefits could also be realized by Town residents. All this is very new since we are in the embryonic stages of energy potential evaluation.

**Special Districts.** Preliminary work was done in 2015 for consolidation of 19 lighting districts into 6. Consolidation is necessary to eliminate the unwieldy process of creating new lighting districts since petitions and public hearings are required. Furthermore, the lighting districts are generally created geographically, and all property owners within that district pay a consistent rate, but the actual usage rates are different, which means some people pay too much and others pay less than their share.

With the assistance of National Grid, the Town is moving toward the establishment of three (3) districts for primarily residential areas, according to the category of lighting in use by a specific property owner: Decorative Underground, Overhead, and Underground. The other three (3) categories include Private (Tuttle Road), Cicero Campus, and Town-wide (intersections with street lights).

**Other Special Districts.** If the lighting district consolidation goes through, the Town also then should consider the consolidation of water districts to ensure that all property owners are paying appropriate rates. There are currently 38 water districts and the installation debt of each has already been paid off except for the Mud Mill Water District, so there is no reason why some property owners should be paying different rates.

## **IN CLOSING**

Overall, this has been a very positive two years for our town of Cicero and I am grateful for having had the opportunity to work with so many dedicated and talented individuals throughout my term. I offer best wishes to our Supervisor-Elect Mark Venesky as he takes over the helm.

*Jessica*