



March 7, 2011

NSB Shadow

The News the Other Papers Wont Print.

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The Shadow Website is under construction and may not perform correctly for a while. Please be patient as we move the site into its new format. Don't worry, we will still have the latest and freshest news to be had about how the City of New Smyrna Beach government is spending and wasting your tax dollars. Check back often.....

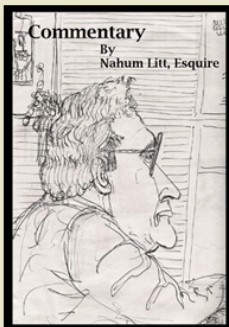
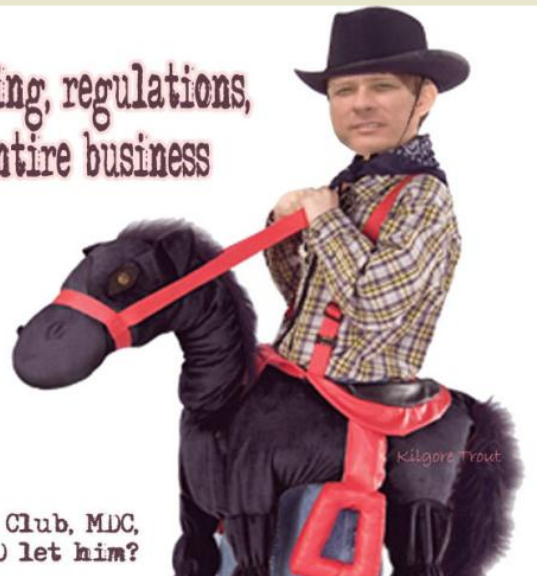
The Shadow website has been in place for 5 years and has rarely been modified in terms of appearance or content organization. So we have decided to experiment a little with some new looks and new pages, all focused on presenting the issue important to us more accessible and thus the Shadow itself more useful to you the reader. As we change various areas, we will include feedback opportunities for the reader to let us know how they like the new formats and what other changes they may think are necessary. **THE SHADOW**

Will boy mayor rein in spending, regulations, utilities, & taxes before the entire business community collapses?

Quinn-Brockbuster-Sides Automobile



Will the City Manager, Anglers Club, MDC, UC, PD & FD let him?



Commentary
By
Nahum Litt, Esquire

FLORIDA IS A RIGHT TO WORK STATE

The fight in Wisconsin over the right of public employees to unionize and bargain is not the same as here. No employee in the State of Florida can be forced to join a union or pay union dues. And there is no binding arbitration in Florida, so after impasse, the City can throw out the contract and write a new one.

Problems in Florida are not just local; our state legislature has added onerous obligations and numerous requirements. For example, a percentage of your insurance premiums are passed on to fire and police employees (a hidden tax). New Smyrna Beach chooses to interpret this legislation as not being able to cut pensions. In reality this requirement only holds if they choose to take state insurance premiums to offset their costs. This is another leg-iron on unfettered negotiations on pensions.

New Smyrna Beach is an example of feckless elected officials (and employees) who have negotiated unaffordable contracts. Elected officials from both political parties are guilty. They spend money that future taxpayers will pay. And for the most part they pay little or no taxes of their own. In fact one of our elected officials consistently fails to pay his taxes till the auctioneer is on the front steps. So spending your money becomes easy, till the auctioneer is on the front steps. So spending your money becomes easy.

New Smyrna has wasted years in even addressing major issues concerning pay, pensions and benefits. Meaningful negotiations are made more difficult by our human resource director, who defends the unrealistic 8% guarantee on pension investments.

The Shadow believes that Commissioner Hathaway resigned from the pension board when he realized he might be blamed for this 8% phony return rate built into the pension calculations.

The human resource director also dropped the City demand that fire department personnel automatically receive 4 hours of overtime per pay period. Remember we only had 4 structural fires all last year.

Elected officials copped out again! The City Commission decided not to reduce these wages which also would have

reduced the retirement checks. It was not an accident that Cindy Richenberg retired at age 46 with a \$63,000 FD pension. City management with guidance from our elected officials caved into their unreasonable demands. Taxpayers are forced to pay these costs.

Unions represent their members, it would seem our elected officials and city staff represents them as well. Public safety unions, which are essentially blue collar positions, have sold themselves as entitled to higher wages more consistent with managers. Union members are "gaming" the system by manipulating overtime and promotions to grossly increase their pensions. The method is called "spiking" and it went along with the abuse of sick leave scam used here before John Hagood put an end to it.

This has gotten out of hand! Get rid of the lieutenants, establish three to a shift, and open up FD rolls to volunteers. In the next election the Shadow will bet that no candidate in New Smyrna Beach will court or welcome the open support of either the fire or police department union. Wanna bet a \$1 beer?

THE STAFF "SETTING UP" THE ELECTED OFFICIALS TO LOOK BAD?

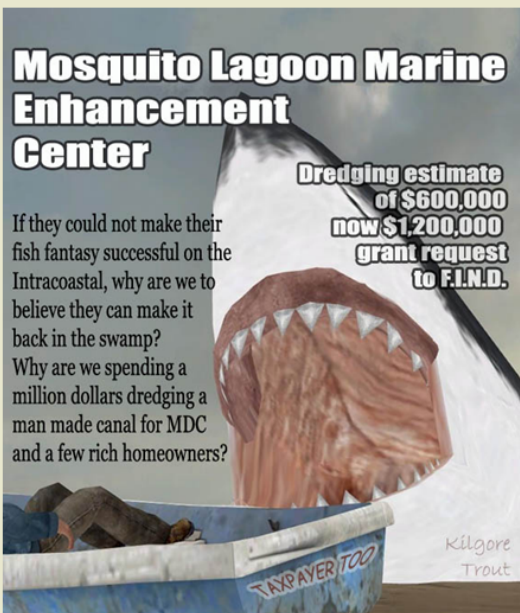
You are the City Manager and receive a letter dumping on the City or the Commission. You show it to the Mayor and maybe the other Commissioners, knowing that the full import of the complaint may not likely to be absorbed, and then you ignore the issue until the letter writer erupts and accuses the Mayor and Commissioners of incompetence and a lack of care. In the trade, that is a failure of management or a set up where the City Manager creates a bigger problem and transfers the blame to anyone other than herself. We have seen several of these over the last year in Mayberry. The Shadow leaves it to the reader to determine whether it is bad management or a set up.

a. The failure to properly notice DCA filings on zoning. This was the responsibility of the Zoning department, not the P&Z Board, but, if we recall, all filings are supposed to be reviewed by the City Attorney and many of the defective notices may have been placed by his office in the newspapers. The zoning department is under the supervision of the City Manager. The real issue is that the City Manager is responsible for her staff and took no responsibility for the nonfeasance which was costly to the City. The Mayor had to fix it after it became a scandal. It became his responsibility.

b. The housing fiasco. A Federal Department writes a simple letter stating there are some problems with a City Department. Small things like nepotism, missing funds, double set of books, etc. Nothing is done for a couple of months and the Feds come down with resources to do a full audit. Then the demand letter with the short fix date. The City is given a month to fix 40 or so years of neglect. Did anyone ask how these problems festered for years and nobody noticed the rot. This was a management problem that may have existed for 30 or 40 years. But why was it not addressed after the first letter was sent by the Department of Housing and Urban Development? The Shadow believes that the City Manager should have handled it. But she apparently did nothing.

c. How is the towing fiasco working? Who answers the complaints? We hear that there has been a bunch. New Smyrna Beach taxpayers have not been pleased that their cars have been towed to Holly Hill despite their objections. Then they have to pay, or their insurance companies have to pay, to have the damaged car towed back here. You decide whether it is bad management not to answer such a letter or is it a set up?

When Pam was fired by Broward County, one of the elected officials told a newspaper that she had set him up and blindsided him. He also said she did not play well with others. Is that what is happening here? .



Meeting Notices

SOUTH EAST VOLUSIA TAX REFORM MEETING

Ms. Debbie Vishnesky will be hosting the next meeting of the South East Chapter of Volusia Tax Reform on Thursday March 10, 2011 @ 6:30 pm at the Pine Island Gazebo Clubhouse across from 712 Pine Shores Circle in New Smyrna Beach. The Clubhouse is easy to find by driving on US1 - turn onto Wayne Avenue, pass the Municipal Golf Course, turn right onto Pine Shores Drive

NOTES

1. THE FRANCHISE TAX ON YOUR TRASH WAS ONLY \$420,000 THIS YEAR. THE REST OF THE \$595,000 IN FRANCHISE TAXES COLLECTED FOR THIS YEAR (2011) ARE:

FY 2011 Budgeted Franchise Taxes:

Franchise Fees (TAX)

Natural Gas	\$89,291
Recycling	\$ 2,500
Roll-Offs	\$14,000
Waste Pro	<u>\$440,000</u>
Total	\$595,791

Interesting, to hide it as a tax they call it a "fee", but their finance director lists it as a tax on the finance report. Trust the Shadow, these are taxes. But worse, the reason the City got rid of its own employees and put trash pick up in the private sector was to save money. Then they tax it even more than the proposed savings. The Shadow believes that "sneaky" is the appropriate word. The Shadow believes this tax should be eliminated and Pam should cut expenses.

2. THE 6% UTILITIES COMMISSION TAX, "TAKE", WAS \$2,961,000 FOR THE 6% CITY CUT OFF THE TOP.

You pay this bill so that Pam can avoid, with Jack and Lynn, addressing the pay, pensions, and benefits of the fire department personnel.

Collecting this tax is one of the reasons why there has been no oversight by the City of New Smyrna Beach of the Utilities Commission. The standard for hiring auditors is about three years and then you get a new auditor. The auditor rats out bad management and paying a secretary

municipal golf course, turn right onto Pine Shores Drive, then right onto Pine Shores Circle. The clubhouse will be on the left hand side just past the curve.

They plan on having the former Daytona Beach Mayor, Attorney Richard Kane, who will give a presentation on the legalities of how to petition to change your local city charter, in particular to move from a managerial form of government to a strong mayor form of government. Ken Taylor wrote a five piece series on this subject and it can be read at this [LINK](#). The meeting will last no more than 1 hour.

The Shadow encourages all attend this meeting and thanks Ms. Vishnesky for getting the taxpayers energized.

BLOGS (Edited for spelling by the Shadow)

Date: 3/6/2011, 9:55 am
Name: Green Guy by proxy
Number: 600

Is there a problem with chemical contaminations at the old Swoop Plant? Is there a contamination problems at the Chamber building on Canal? Is there still problems of contamination on the old Dunn lumber yard? Do we seem to be in a state of flux on what and how possible hazardous materials were used, stored and disposed of in Charm City? Who is supposed to have the tax payers backs?

Date: 3/5/2011, 10:26 pm
Name: Nsbwatcher
Number: 596

I think many of you are confusing frustration with hate. I doubt if anyone here truly hates anyone else. They are just expressing the overall rejection of the mismanagement of our tax dollars and the manner in which the unions have bought the local politicians to the extent that they do nothing to ensure our tax dollars are responsibly managed. Employees, regardless of whether public or private sector, are entitled to be treated fairly, but also responsibly. That is where the system broke down and since the mid 90's, the public sector worker has received greater benefits than their private sector cousin. The scale has just tilted too far in favor of the employee as opposed to the taxpayer. Remember, in the private sector they have to make a profit to pay employees, while in the public sector, all they have to do is raise taxes. And that is just what they have done here in NSB and the clock on the wall has finally caught up with them.

So go to the CC meeting on Tues and take 3 minutes (that is all they will give you) and let the elected ones hear you loud and clear. They need to stop giving your money away.

Date: 3/4/2011, 3:25 pm
Name: Tool man fool man
Number: 577

Are you kidding? firefighters hardly ever fight a fire, get paid way too much, retire way to early with too much money. Cindy Richenberg age 46 retired \$64,000. Last year we had 4 structure fires, not even one per station. Teachers only work 8.7 months a year and make double the average income here. There has never been a cut in teacher pay - everyone else in town is suffering reality.

DEAR PAM



As we have stated in the past, we realize that various City officials have limited resources available for pursuing cost reduction projects, so we have decided to help them out and provide draft letters for review. As we have said, this will free them up for important things, like dealing with all the serious problems of the police and fire department pensions.

Dear Mayor Barringer,

I am trying to hide the tax increases but they seem to be on to me. They know the boat ramp deal is a general revenue tax and we have been exposed on the taxing

a package that costs more than \$120,000. The Utilities Commission has had the same auditor for over 25 years. You would think the City would at least demand an independent audit with a new auditor.

Now when the UC improperly jacks up salaries, let us assume for a glorified secretary by more than \$50,000, that is an extra \$3,000 to the City. On your bill the UC collects another 9% from its ratepayers on the higher amount you pay for what they the UC spends. In other words you pay the City 15% or 16% as an over ride for every dollar they waste. It is on your UC bill, just turn it over.



1. VOLUSIA COUNTY VOLUNTEER FIRE FIGHTERS
Chairman Bruno, does the County still require that you can not be a volunteer fire fighter unless you are an out of work firemen? It is little wonder that there has been a 500% decrease in volunteers just at the County level.

2. UTILITIES COMMISSION W-2s
The Shadow has paid the Utilities Commission \$23.52 for inadequate W-2s which do not provide the material the Shadow has requested in a useable form. The information is available in digital form in a Microsoft program on the UC's server and could have been provided with a click of a button.

To add insult to injury, the UC has redacted from the paper copies all information in the pension and benefits these coddled individuals collect. The UC is thumbing its nose at the taxpayers. We know that they paid their prior CEO Rodi, a \$277,000 salary, but have no idea what his pension and benefits package totaled.

You would think that since the combination of tax (including Bert Fish and the UC) rates here are the biggest expense to business, that the Mayor would get on his horse and reign them in. And where is the Chamber of Commerce?

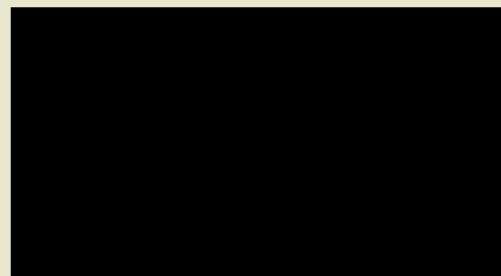
NSB City Commission Meeting Tuesday, March 8, 2011

The City Commission will be meeting at the City Commission chambers in City Hall, starting at 6:30 PM. You can read the agenda at this [LINK](#) (it is a big PDF file) and the Shadow encourages you to read it closely. The only way this wil stop is when the rest of us go to the meetings and speak out in opposition. Tell them to stop throwing your money away!!!!

VIDEO OF THE WEEK

The Shadow was sent the below video by the family of an American Soldier and was touched by the expressions of the children (and the excitement of the dog) of these Americans who protect our liberty every day of their lives. Please watch the video and honor their daily sacrifices in your own way.

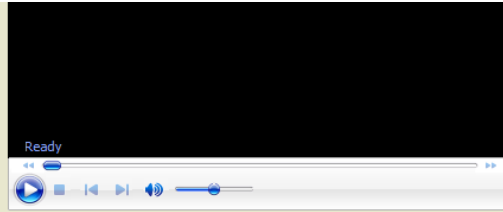
Thank you, The Shadow



revenue tax, and we have been exposed on the towing tax. Hiding the giveaways in the consent agenda is not working anymore either. Maybe we could hold a retreat and come up with a Bert Fish type plan?

PAM

Don't Forget- attend the SEV Volusia Tax Reform meeting hosted by Debbie Vishnesky on Thursday, 3/10/11, at the Pine Island Clubhouse, directions are in the Meeting Notice, above.



CLICK ON ARROW TO PLAY VIDEO

[CLICK HERE FOR 2010 CITY W2s](#)

THE UTILITIES COMMISSION IS STILL STIFFING THE SHADOW ON INFORMATION YOU THE TAXPAYERS ARE ENTITLED TO HAVE. CHECK HERE NEXT WEEK

YOU ARE NUMBER:

0000

The time in New Smyrna Beach, Florida is: 11:19:15 PM on March 13, 2011

IF YOU HAVE CORRECTIONS, OTHER ADVICE, OR WISH TO CONTACT US, PLEASE EMAIL THE WEBMASTER AT nsbshadow@gmail.com
Published Weekly, Direct from the Web. Look to Us for the Latest Intrigues and Tell Your Friends About Us!
Visitor on this Site This Week (Nearly 1300 hits last week. Thank you, enjoy your visit and come back ya' heah.

