

**July 11, 2011 – WORK SESSION AND REGULAR MEETING**

**The Work Session and Regular Meeting of the Town of Dickinson Town Board was called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 5:35 PM on Monday, July 11, 2011 in the Town Hall, 531 Old Front St., Binghamton, NY.**

**This is the first of the regular meetings which begins the summer schedule of July, August and September combining our Work Session with the Regular Meeting on the second Monday of those months with a start time of 5:30 P.M.**

**The members of the Town Board present were:**

**Michael A. Marinaccio, Supervisor**

**Danny F. Morabito, Councilman**

**Thomas J. Burns, Councilman**

**Sharon M. Exley, Councilwoman**

**Stephen M. Gardner, Councilman**

**Also attending:**

**Oliver N. Blaise III, Esq., Town Attorney**

**Wanda R. Broczkowski, Town Clerk**

On a motion by Councilwoman Exley, seconded by Councilman Burns to approve the Work Session Minutes of June 6, 2011 and the Regular Meeting Minutes of June 13, 2011 as presented. All in favor. Vote -5 Ayes, Nays-0.

On motion by Councilman Morabito, seconded by Councilwoman Exley all future meeting minutes will be approved on Email and before being posted on the Town's Website.

Supervisor Marinaccio gave his Supervisors report for the Month of July 2011.

Abstract # 7 – Abstract Summary of Audited Vouchers for all Funds in the amount of \$83,889.60. On Motion from Councilman Morabito, seconded by Councilman Gardner to approve. Vote Ayes – 5, Nays – 0.

Supervisor Marinaccio voting Aye

Councilman Morabito voting Aye

Councilman Burns voting Aye

Councilwoman Exley voting Aye

Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

Supervisor Marinaccio declared July 21<sup>st</sup> as Maria Zobniw Day, which is her birth date, proclaiming this is her day every year.

**Public Comments**

None

### **EMAIL MANAGEMENT**

Supervisor Marinaccio spoke on the town's use of Email. The town NEVER uses Email as a voting tool. We utilize the meetings to discuss these important matters.

We will focus on some of the New York State samples for review and decide what one we want and is best for the town and table to the August meeting. Allows us time to review the best Retention Policy of New York State Archives and Managing Electronic Records and developing a Policy for Managing Email within the Town. It is important to note, any Email within the town or personal Email is subject to scrutiny.

### **PROCEDURES FOR REQUESTED ROAD CLOSURES**

Attorney Blaise re-stated since the May meeting, the Town of Union has Code in place and do we want to utilize any of this? Highway Commissioner Kie said it is already covered in New York State Highway Law. Going back to the June meeting regarding the Town of Dickinson, Sunrise Terrace Community Center situation, he would still like the board to be involved or to certainly be aware of these requests. At the end of the discussion, we would go along with a 'verbal' request as long as it was reasonable for the neighborhood.

### **JOHN STREET DRAINAGE EASEMENT**

The Krukowski letter of July 1, 2011 Easement arranged on 218 John Street. Water comes off the hill onto Town of Chenango; goes to Hickory Road into the park. Catch basin(s) where it gets clogged. The basins were not created by the town; this is an issue. The town is attempting to meet with New York State Electric and Gas (NYSEG). Crews from NYSEG took photos, admitting there is a problem.

The ball is now in our court. Supervisor Marinaccio feels we should meet with the Kurkowski's and representatives of the TOD board. The key is, we contend, Mr. Kurkowski changed the path of the water causing actionable civilly. Do we want a temporary easement to take care of the matter providing access for our maintenance vehicles? It would allow us to clean out the drains and the basins.

Right now we need to only get the facts. Tom Wiser, Department of Transportation (DOT) Engineer needs to be contacted. TOD board members which will include: Commissioner Joel Kie, Attorney for the town, Oliver Blaise, Engineer for the town who is Ron Lake, Supervisor Marinaccio, Councilman Morabito and Councilman Burns. Attorney Blaise will contact Mr. Kurkowski's attorney.

It should be noted, Highway Commissioner Kie has already installed drainage of 300 feet, and would need to install an additional 240 feet for future.

### **Garbage district bids for 2012-2013**

Garbage collection bids will be for 2 years. Locally, we submit requests to four or five trash haulers along with publishing it in the Legal section of the newspaper. Bids are due by September 30<sup>th</sup>, 2011 and should be included in the budget.

### **TEMPORARY SIGNS**

Supervisor Marinaccio requested Attorney Blaise and Code Enforcement officer Rafferty meet regarding this matter.

### **Action on Utility Pole damage from 4/14/2011 Accident**

Commissioner Kie found out the name of the Windsor woman who hit a utility pole on Lower Stella Ireland Road. **All State** insurance company was contacted. Joel needs the cost of the parts and to make sure we have accurate costs to cover the new pole and all related costs. Commissioner Kie would rather a new pole. Attorney Blaise will draft a letter to cover the \$4,600 cost.

### **Status on Renee Operman, 34 North Broome Street**

On motion by Code Officer Rafferty and seconded by Supervisor Marinaccio to submit a report stating it is dangerous. It will need a board resolution. All in favor.

## **Committee Reports:**

### **Public Works**

Deyo Hill paving in progress. Glenwood Road and Sunset are also on the list. Danny Miller of the water department now has a new laptop with a new system.

### **Broome Developmental Center-Youthful Sex offender Program**

A radio show mentioned Supervisor Marinaccio's name on their show. It was in reference to the Glenwood Road facility, Broome Developmental Center getting out of the business of a state run youthful sex offenders program. Supervisor Marinaccio will plan to meet with the Supervisor or head of this agency to obtain further details since it is located in our town.

### **Flow Management**

#### **Binghamton-Johnson City Joint Sewage Treatment Plant**

Town Engineer Ron Lake reported further on the Sewage Treatment Plant. The Sewage Board will come up with a full management report cover approximately four years. Essentially all outside users are to get rid of all infiltration. It affects all Communities. Communities cannot have additional flow without going to this Sewage Board – to trade credits or purchase flow credits. It would be possible they might not sell us any credits. Ron Lake recommends the town start putting money aside to cover the costs of:

- Required Reports
- Smoke Tests
- Televising
- Spending money in sewer districts
- Binghamton has Combined Sewage Overflow's (CSO's)

Danny Miller, of the Water Department is not in favor of spending any money until more information is made available and once DEC would set up a schedule over 5 years. Unfortunately, we do not have much time, explained Town Engineer Ron Lake. We do not have any choice in this matter. Currently it is 75% inflow coming from the City of Binghamton.

To further explain this, Smoke Testing consists of smoke forced into a drain and when this is done it would be to determine if there is an **OVER** flow. Danny's fear is once the Smoke Tests results are in, from both the college and the jail, their Flow Management situation could be in jeopardy. He recommends forewarning both **Broome**

**Community College and Broome County Jail** what is coming down. This would ensure no surprises to the facilities.

Most importantly, the recent passing of the **Broome County 2% Tax Cap** does not cover sewage. It should be noted that in regards to the 2% Tax Cap – Supervisor Marinaccio stated the Town of Dickinson needs to educate our residents on Flow Management so if the need arises to raise taxes we can justify the increase to cover these costs. More information will be made available as we learn of it.

#### **Board Approval to Proclaim July 21, 2011 as Maria Zobniw Day in Dickinson**

Supervisor Marinaccio requested board approval to proclaim July 21, 2011 as Maria Zobniw Day in Dickinson. On motion by Councilman Burns, seconded by Councilman Gardner and all those present voting as follows: Vote Ayes – 5, Nays – 0.

Supervisor Marinaccio voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Aye  
Councilwoman Exley voting Aye  
Councilman Gardner voting Aye

#### **City of Binghamton Regarding Snow Plowing**

Commissioner Kie met with the City of Binghamton Highway Department to discuss snow plowing practices between the towns by increasing productivity by exchanging certain streets based on better access and maneuverability of equipment.

#### **Boland Road Parking – Resident Letter**

Councilman Burns wants to be able to answer to his neighbors about the letter submitted by Jonathan Fillers of 18 Boland Road. His purpose was to rid Boland Road of the “No Parking” signs. Currently there is no parking between the hours of 8:00a and 5:00p. To change this we would have to have another hearing with the residents. Lower Boland seems to be alright but upper Boland is where the problems lie seasonally with BCC students parking and creating narrow passage of the road during and when school is in session. The board would like to see a compromise between residents and students.

#### **Wal-Mart Shopping Carts**

Councilwoman Exley wondered if anything can be done regarding Wal-Mart shopping carts left near 258 Prospect Street and Glenwood Road. Town of Union does cart pick-ups and charges \$100 per cart. The town will contact the manager of Wal-Mart to see about their person in charge of carts to make an effort to check on these streets.

On motion by Supervisor Marinaccio, the meeting was adjourned and seconded by Councilman Burns at 6:52 PM

Respectfully submitted,  
Wanda R. Broczkowski  
Town Clerk