

November 14, 2011 – REGULAR MEETING

The Regular Meeting of the Town of Dickinson Town Board was called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 6:04 PM the members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
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**

Absent: Danny F. Morabito, Councilman

A moment of Silence was for James O'Brien, past Deputy Tax Collector. Supervisor Marinaccio gave his report for the month of October. A few highlights include: Internal audits will be conducted for the court and town clerks. December 1st the Associations of Towns will host a meeting and social event. Supervisor Marinaccio proposed the board to consider our meeting dates to be held on Wednesday's instead of Monday's to ensure report preparation efficiency and avoid holidays which typically are on Monday's.

Public Comments

None.

On a motion by Councilwoman Exley, seconded by Councilman Gardner to approve the Regular Meeting Minutes of October 10, 2011 as presented. All in favor. Vote -4 Ayes, Nays-0.

Abstract # 11 – Abstract Summary of Audited Vouchers for all Funds in the amount of \$461,719.71. On Motion from Councilman Burns, seconded by Councilman Gardner to approve. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

BCC Generator has a wide variety of resolutions. Determined- we must entertain bids. It will consider all switches interchangeable. The name plates are only difference. Use same bid with new deadline dates.

I. PUBLIC HEARINGS

RESOLUTION 2011-20

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Burns to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

2012 BUDGET (Copy on file in Town Clerk's office)

No opposition in regards to the budget. The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor.

Vote Ayes – 4, Nays – 0.

Supervisor Marinaccio voting Aye

Councilman Morabito Absent

Councilman Burns voting Aye

Councilwoman Exley voting Aye

Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

RESOLUTION 2011-21

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilwoman Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING NEGATIVE SEQRA DECLARATION REGARDING SHOPPING CART LEGISLATION (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

Supervisor Marinaccio voting Aye

Councilman Morabito Absent

Councilman Burns voting Aye

Councilwoman Exley voting Aye

Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

Supervisor Marinaccio wants to make sure owners know of the law and recommends an electronic copy be made available to the Broome County Sheriff's Department.

Councilman Gardner recommends someone from the board visit the business locations to inform them of the law; Wal-Mart and K-Mart. It should be noted, this adversely affects residents on Adams Street. A letter will be drafted by Code Enforcement office Rafferty with a copy of the resolution.

RESOLUTION 2011-22

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING SHOPPING CART LEGISLATION (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

Supervisor Marinaccio voting Aye

Councilman Morabito Absent

Councilman Burns voting Aye

Councilwoman Exley voting Aye

Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

RESOLUTION 2011-23

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING NEGATIVE SEQRA DECLARATION

REGARDING ZONING CHANGE FOR LOWER OLD FRONT STREET (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

Supervisor Marinaccio voting Aye

Councilman Morabito Absent

Councilman Burns voting Aye

Councilwoman Exley voting Aye

Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

RESOLUTION 2011-24

The following Resolution was offered by Councilman Burns, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING LEGISLATION CHANGING ZONING ON LOWER OLD FRONT STREET FROM C1 TO C2 (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

RESOLUTION 2011-25

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilman Burns to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING FIRE PROTECION CONTRACT WITH PDFC FOR FIRE PROTECTION DISTRICT #3 (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

RESOLUTION 2011-26

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION ADOPTING SEWER HOOK-UP AGREEMENT FOR 121 ADAMS DRIVE (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

Supervisor Marinaccio voting Aye
Councilman Morabito Absent
Councilman Burns voting Aye

Councilwoman Exley voting Aye
Councilman Gardner voting Aye
Unanimously passed and noted as duly adopted.

RESOLUTION 2011-27

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION APPROVING SETTLEMENT OF REROB LLC TAX

ASSESSMENT CASE (MCDONALD'S) (Copy on file in Town Clerk's office)

The question of adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

Chair

1. Approve July 2011 Financial Report. Councilman Gardner and Councilwoman Exley.
2. Violence in the Work Place. Commissioner Kie was requested by the state to handle incident reporting.
3. Mr. Church's Flood Report will be given to all board members to review.
4. Marcellus Meeting and Training on Saturday October 29th, 2011.
5. Letter was received by Supervisor Marinaccio from Bob Kingsley who resides on Miller Street in the Village of Port Dickinson, was objecting to parking and various other issues that were on his mind. His requested that supervisor Marinaccio make sure the law was legally followed by the Town of Dickinson. Supervisor Marinaccio contacted Mayor Kevin Burke and sent Mr. Kingsley a follow-up letter stating we are not responsible and referred him to the Village.

Committee Reports:

Public Works

1. Danny Miller of the water department reported a broken fire hydrant.
2. Broome Community College will be conducting a SMOKE TEST on any given day of their water system after 10:00 PM; Danny will follow-up with Rick Armstrong.
3. Sewer pipes need replacing at 113 Rosedale and 33 Columbus Street.
4. Highway Commissioner Kie recommended we make sure the Town of Dickinson's insurance is covering **all** of our buildings. Currently the annual premium is \$3,225.20. Photos were taken and Engineer for the town, Ron Lake helped with pricing all building to be insured; Town Board agreed.
5. Eight months ago Dan Babcock requested us to vacate the property next door to the highway garage. Highway Commissioner Kie had this property surveyed and consider purchasing the property back. The board agreed we never should have sold it. The town could lease it for \$800 a month from Dan Babcock; better to try to purchase it. Supervisor Marinaccio reminded Mr. Babcock of drainage and curbing issues related to the property. Are there other places we could store our equipment, stone and gravel? The lot size is 190 x 200. We will need to move the shed plus it would take considerable effort to rebuild the storage barn. Councilman Gardner requested an assessment of the property which we purchased for around \$70-80K. Councilman Burns, about a year ago, spoke to the owner of the Rolling Bones property which is a leased property located across the street and about the idea of us purchasing it. This property is located in the 100 year flood plain and is quite narrow not to mention the cost of demolition. So now we are back to looking at the property next door. Danny Miller thought we should look at the Broome County property located off of Lt. Van Winkle Drive. As the discussion resumed it was brought up the county would probably not like the idea of us running truck on Van Winkle Drive.
6. John Street Drainage Easement – Preliminary drawing is now available. We were unsuccessful contacting the Krukowski's. Attorney Blaise needs copy to provide to the lawyers and the Krukowski's. The Engineer for the town, Ron Lake provided input to the plan along with Commissioner Kie. It is recommended we do the work during the winter months before spring thaw. The plan is to meet with them again sometime after Thanksgiving.
7. Deyo Hill Road catch basins. Attorney Blaise suggested we do a study and Supervisor Marinaccio recommended a study by Engineer for the town, Ron Lake
8. Keystone Associates – A company that handles Road Preservation of Roadways and Traffic. Highway Commissioner Kie requested was there any further more information obtained by Attorney Blaise. If we contract with them we would still be managing it. What we are wondering, what

would truly be our road use for gas drilling. We feel we are pretty well protected

9. Bids being solicited for a Ford F550 to replace the 1999 Ford F550 by spring 2012.
10. New Camera Security System- The grant from the court currently covers four cameras with potential to expand up to eight in the future. This provides night protection. Future, we should consider two on the highway garage.

Administrative & Other

1. The Flood Task Force meeting confirmed buyouts. Supervisor Marinaccio could never understand why they do not talk about prevention. Flood prevention is to educate the public. It is now going in this direction. Engineer for the Town, Ron Lake pointed out when you protect one area another area is affected. One must understand the dynamics of rivers and the effects of it. Homes in the mid-west are under water for months vs. days. We have been setting records as the climate is changing and are all in this for the long haul. In our vicinity, all our flood control systems (DAMS) for this flood worked. County planning is running this task force and Supervisor Marinaccio supports it.
2. Supervisor Marinaccio thanked the board for all their hard work on the 2012 budget.
3. During the week of November 21st, Thanksgiving week, there will be no yard waste pick-up. Last date is Monday, November 28th. Leaves will be picked up until the snow flies.

On motion by Supervisor Marinaccio, the meeting was adjourned by motion of Councilman Burns and seconded by Councilman Gardner at 7:35 PM

Respectfully submitted,

Wanda R. Broczkowski

Town Clerk