

January 10, 2011- Regular Meeting

The Regular Meeting of the Town of Dickinson was called to order by Michael A. Marinaccio on Monday, January 10, 2011 at 5:32 PM in the Town Hall, 531 Old Front Street, Binghamton, New York.

Then 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  
Tonya M. Baldwin, Deputy Town Clerk

Supervisor Marinaccio led the Pledge of Allegiance and asked for a moment of silence for the former Zoning Board of Appeals Member, Ruth Lee and the victims of the Arizona shootings.

Supervisor Marinaccio called the Public Hearing to order at 5:34 PM. This is regarding the extension of the Chenango Fire Company contract. Attorney Blaise stated that it was a five (5) year extension of the current contract and there was no increase in the yearly charge. Two (2) members of the Chenango Fire Department were present to answer any questions. It was noted that the Chenango Fire Department has been protecting their portion of the Town of Dickinson for sixty (60) years.

There were no other comments or questions. Supervisor Marinaccio closed the Public Hearing at 5:35 PM.

Supervisor Marinaccio call the Public Hearing to order at 5:35 PM regarding the extension of the Prospect Terrace Fire Company contract. Attorney Blaise stated that this contract is for a five (5) year period and there is no increase in the budget. One of the members of the Prospect Terrace Fire Department was present to answer any questions. There weren't any comments or questions regarding this matter at hand. Supervisor Marinaccio closed the meeting at 5:36 PM.

**RESOLUTION 2011-1**

The following Resolution was offered by Councilman Moribito, 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 TO APPROVE THE CHENANGO FIRE CONTRACT AND  
AUTHROIZE SUPERVISOR MARINACCIO TO SIGN**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. 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.

**RESOLUTION 2011-2**

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 TO APPROVE THE PROSPECT TERRACE FIRE COMPANY AGREEMENT AND AUTHROIZE SUPERVISOR MARINACCIO TO SIGN**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. 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 gave his monthly Supervisor’s Report for January 2011.

**RESOLUTION 2011-3**

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 ADDRESSING ORGANIZATIONAL MATTERS FOR TOWN OPERATIONS IN 2011**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. 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.

On a motion by Councilman Gardner, seconded by Councilwoman Exley to approve the Work Session Minutes of December 12, 2010 and the Regular Meeting Minutes of December 13, 2010 as presented. All in favor. Vote -5 Aye, Nays-0.

On motion by Councilman Morabito and seconded by Councilman Burns to approve the vouchers contained in abstract #13 dated December 31, 2010 for payment. General fund,\$14,221.70, Highway \$22,208.18, Light Districts \$4,009.93, Refuse & Garbage \$8,266.83, Sewer Operating District \$1701.64, Water Operating District \$51,427.19,. Total Abstract- \$101,835.47. All in favor, Vote Ayes-5 Nays-0

On a motion made by Councilman Moribito and seconded by Councilwoman Exley to approve the vouchers contained in abstract # 01 dated January 10, 2011 for payment. General Fund, \$48,085.85, Part Town \$640.00, Highway \$4,682.91, Fire Districts \$14,725.00, Light Districts \$1,387.93, Sewer Operating District \$1,653.13, Water Operating District \$2,311.48. Total Abstract- \$73,486.30. All in favor, vote Ayes-5 Nays-0.

Supervisor Marinaccio wants to make the Highway Supervisors position an appointed position instead of and elected position.

On Motion made by Councilman Gardner, seconded by Councilman Morabito to make the Highway Superintends Positions and appointed positions . All in favor, Vote-Ayes-5, Nays-0.

Supervisor Marinaccio opened the Public Hearing regarding the property located at 50 North Broad Street. Attorney Blaise explained the need to begin the condemnation procedures of this property. Code Enforcement Office Rafferty agreed that there are too many code violations and indeed that this property needs to be demolished as it is a public hazard. Jim Love voiced his opposition for the condemnation. There were no other comments and the hearing was closed.

#### **RESLOUTION 2011-4**

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:

#### **RESLOUTION TO APPROVE THE CONDEMNATION , DEMOLITION AND TO ADVERTISE FOR BIDS REGARDING 50 NORTH BROAD STREET**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows: All in favor. 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.

#### **PUBLIC WORKS**

Deputy Commissioner Miller stated that there were two (2) problems address. One was at 210 Lower Stella Ireland Road. There was a check valve put into place to keep a

black flow of sewage into the home. This is only a temporary fix to this problem. He is working with the County to help reach a permanent fix to this problem. At 78 Sunrise Terrace there was a water main problem that is now fixed.

Public Works Commissioner Joel stated that the new truck will be here and is now in need of approval for the body.

### **ADMINISTRATIVE**

On motion by Councilman Moribito and seconded by Councilman Burns to approve the Supervisors Financial Statement for November 2010 as presented. All in favor. Vote Ayes-5, Nays-0.

Supervisor Marinaccio has spoken to the Broome County Board of Elections about the problems that we are having on elections days. He has suggested the County to look into moving the polling place to Sunrise Terrace old the Co-operative Extension.

Supervisor Marinaccio has stated the Town of Dickinson is opposed to the proposed tax cap of 2%. 3.9% of the Town budget now goes for New York State Mandates. The Tax Cap could cause loss of some services.

Mr. Kie is pursuing the issue of The Gardens dentition pond with the developers. Councilman Morabito is also working on this.

Supervisor Marinaccio has reported that the speed limit on Van Winkle Drive is going to be 40 mphs from what he has heard. It will be another month or two (2) before this is place. Supervisor Marinaccio still feels it still should be 30 miles per hours.

On motion by Councilman Moribito the meeting was adjourned at 7:10 PM.

Tonyia M. Baldwin  
Deputy Town Clerk