

May 14, 2012 – 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 6:02 PM. The members of the Town Board present were:

Michael A. Marinaccio, Supervisor

Danny F. Morabito, Councilman

Thomas J. Burns, Councilman

Stephen M. Gardner, Councilman

Sharon M. Exley, Councilwoman

Also attending:

Oliver N. Blaise III, Esq., Town Attorney

Wanda R. Broczkowski, Town Clerk

Supervisor Marinaccio held a moment of silence on the passing of Frank DeStefano, past member of the Planning Board.

Supervisor Marinaccio gave his report for the month of May and it will be placed on file.

PUBLIC COMMENTS

3 MARION STREET

Edward Katusha, a resident of 3 Marion Street, requested the Town review a water problem since the 2011 flood. A spring water basin was installed on May 9th. Since the flood he has lost five trees in the creek and they are still in the creek. Also, hydrostatic pressure caused his basement floor to crack. Supervisor Marinaccio and Public Works Commissioner Kie and the Town Engineer looked over the house located near the creek. Supervisor Marinaccio will take his complaint under advisement. He thought the creek should be cleaned out of debris. It was determined this is private property which is not the Town's responsibility.

270 GLENWOOD ROAD PROJECT

Supervisor Marinaccio opened a public comment period on the Glenwood Road project topic. The duration of the exchange was approximately 60 minutes.

Supervisor Marinaccio reported Marchuska Brothers went beyond clearing one acre of property, so a stop work order was issued today through our Code Enforcement. If the developer does not comply, there would be a court order to stop the work. Supervisor Marinaccio and Attorney Blaise reviewed and clarified the process to the resident.

Rosie Pudish a resident of Maiden Lane, asked of the Board who decided on the project being considered “educational” project and who agreed with that decision. Attorney Blaise stated it has not been decided yet as the application for the project has not yet been submitted. We need to review the proposed use to see if it is acceptable in the zoned R1-district.

He stated that the Town’s zoning laws can be found at www.GeneralCode.com. Ms. Pudish then asked whether there was a conflict of interest concerning the members of the Planning Board who also worked for the IDA. Mr. Marinaccio stated that this issue was being researched. He reiterated that we do not have a proposal or formal site plan for the project, which would require extensive study, including site plans, noise and traffic flow.

Councilwoman Exley reported that she had contacted Patrick Doyle, one of the Planning Board members who works for the IDA, about the project. He informed her that BOCES’ current distribution center in an industrial/commercial zone in Conklin. Our Planning and Zoning Boards will review the project if/when it is submitted to the Town. Residents will be notified when such meetings will occur.

The IDA is holding a public hearing on the project at the Town Hall on June 6th to look at a PILOT agreement. The IDA Board of Directors would make the decision, of which Mr. Doyle is not a member. The agreement would most likely be for 10 years during which time the taxes would increase to full assessment by the end of the agreement, when the property would be returned to the developer.

The public comment period was closed. At this time the regular meeting was begun.

APPROVAL OF MINUTES

On a motion by Councilman Morabito, seconded by Councilwoman Exley to approve the Work Session April 2, 2012 and Regular Meeting Minutes of April 9, 2012 as presented. All in favor. Vote -5 Ayes, Nays-0.

ABSTRACT #5– Abstract Summary of Audited Vouchers for Funds in the amount of \$385,089.97 On Motion from Councilman Gardner, seconded by Councilman Burns to approve. Councilman Burns stated that \$118,000 was for sewer repairs. Vote Ayes – 5, Nays – 0.

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

Unanimously passed and noted as duly adopted.

ATTORNEY

13 BELLAIR AVENUE

Regarding the demolition of 13 Bellaire Avenue, we have the contacts finalized going out to LCP and Jennings this week. They would be clear to take the place down in the month of June or July upon the Department of Labor posting approval.

RESOLUTION 2012-25

The following Resolution was offered by Councilman Morabito, 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:

Adopt revised Investment Policy. See attached resolution. 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 – 5, Nays – 0.

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

All in favor.

RESOLUTION 2012-26

The following Resolution was offered by Councilman Morabito, 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:

Schedule public hearing for June 4, 2012 Work Session to modify competitive bidding requirements for condemnation projects. 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 – 5, Nays – 0.

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

All in favor.

RESOLUTION 2012-27

The following Resolution was offered by Councilman Burns, 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:

2011 Budget Modifications to be approved by the board to balance the budget. Modifications were presented for the purpose of balancing the budget. The resolution gives permission to allow the Director of Finance to modify the accounts. It was requested to include the document as part of the minutes. 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 – 5, Nays – 0.

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

All in favor.

FLAP GATE STUDY

Supervisor Marinaccio reviewed the study we are conducting. We hired a professional engineer, Rock Woidt, to review the Chenango Shores area, where the pipe flows under Route 81 and empties into the river near Otsiningo Park.

At this time Edward Katusha of 3 Marion Street requested we look at his property for a similar situation to install a backflow valve. Supervisor Marinaccio agreed for us to look at this.

COMMITTEE REPORTS:

PUBLIC WORKS – WATER DEPARTMENT & HIGHWAY DEPARTMENT

1. Public Works Commissioner Kie is requesting us to order a transfer switch for the refurbished generator in the amount of approximately \$6,000. The generator will power up both of our buildings in the event of an emergency. This will be an emergency center. A savings of \$50 to 60K is realized. Councilman Burns made a motion seconded by Councilman Morabito to approve the purchase of a switch. All in favor
2. The recommendations were presented Commissioner Kie on the Bid opening of June 4th. Ford F550 surplus truck bid for \$12,500 will be awarded to John Cook of Castle Creek. On the other items, the bids were quite low so he suggested we put them up for auction. Motion to accept was made by Councilman Gardner seconded by Councilman Burns. All in favor.
3. Commissioner Kie is suggesting that on Lower Glenwood Road we propose parking restrictions. Buses and trucks turning onto Glenwood Road are pushing the traffic over to the left side of the road. He recommends no parking between the hours of 7:00 AM – 5 PM, Monday – Friday with the exception of holidays. Supervisor Marinaccio wants to carefully look at his proposal and have the board to review it. A public hearing would need to be held.
4. Appearance tickets for code violations will be heard on May 22nd and May 29th.
5. Ron Lake, Engineer for the town, spoke with Delta Engineering and they will file a proposal for the Glenwood Road Development Project for if it happens, Marchuska Brothers would be required to pay for this storm water and pollution MS4 study regarding the holding pond or pipe flow. Councilman Morabito wants us to provide advisement by a professional Engineer to ensure we are protected. Approval for the proposal by Councilman Gardner and seconded by Councilman Morabito if this project happens. All in favor.

ZONING BOARD None

CODE ENFORCEMENT None

The meeting was adjourned on motion of Councilman Gardner and seconded by Councilman Burns at 7:24 PM

Respectfully submitted,

Wanda R. Broczkowski

Town Clerk