

January 9, 2012 – WORK SESSION & REGULAR MEETING

The Work Session & Regular Meeting of the Town of Dickinson Town Board was called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 5:33 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 gave his report for the month of December. This monthly report will be placed on file.

Public Comments

Discussion with Waste Management regarding garbage district collection

Dennis Ede, Binghamton Operations Manager spoke about the progress of the District 1 garbage collection service which began the 1st of January 2012. After his presentation of the first run of the garbage collection service on Thursday January 5th, 2012, residents were given an opportunity to comment or ask questions. There will be four holidays that will affect the garbage to push out one day forward to Thursday instead of the scheduled Wednesday pick-up. They will be New Year's Day, Memorial Day, 4th of July if it falls on a Monday and Labor Day. He reviewed the electronics equipment pick-up and various special items. DEC is very strict and will not allow electronics, such as a laptop computer or small appliances. Special arrangements need to be made for appliances, cabinets, linoleum and all remodeling debris. Regarding Bellaire and Longview that for these streets WM is using a smaller truck due to the steep hills. Safety is Waste Management's concern and priority. Mr. Ede passed out his business card to those residents in attendance and promised to continue to handle their questions and any problems that may come up. The board appreciated the ad that was placed in the Press. One recommendation from the board is when any future newspaper ad is published to write the ad as District 1, Prospect Terrace and Stella Ireland Road area. Supervisor Marinaccio and the board thanked Mr. Ede of Waste Management for coming to the meeting as well as those residents to voice their concerns.

Republic Street – Resident Vincent Sperski asked if between Poland and Republic streets the town could check NYSEG regarding a stray wire. He has to move the anchor rod before doing work near his property. The town will look into the matter as it may be a Verizon wire.

Department of Transportation DOT at Exit 5

Resident Jim Love of 26 Orchard Road voiced concern about all of the large stones being dumped and stored by the state, at this exit. It is causing traffic issues and it looks ugly. Supervisor Marinaccio stated we don't like it either but cannot do anything about it as he warned DOT, Jack Williams there would be problems.

DEC Issues

Leonard Gee– DEC reported issues with a diesel train that idled on the RR tracks from Friday – Monday. Grinding and milling is being performed there and is quite noisy. Also, he wondered if they could have a light installed on the corner of N. Ely Street. Its location is when you turn left at N. Broad Street onto N. Ely. Councilman Burns would like to take a look at it.

One gentleman who is new to the town, Peter Zlomek of 7 N. Ely Street and lives in that same section of Dickinson stated he likes living in the town. He wants to know the policy we have with the railroad regarding the diesel odor, oil spills and the problem of idling trains emitting pollutants but specifically the trains off of Old State Road, near the large rock quarry. Also, he has a concern about railroad right-of-ways in that area. Supervisor Marinaccio asked Highway Commissioner Kie to look into these matters.

Fire Hydrant distances

Mr. Zlomek had another Question: how close are you able to have a fence near a fire hydrant? We don't know. We need to verify the situation.

Public comment period was then closed. Supervisor Marinaccio thanked all residents for coming in. We then went into the town business.

On a motion by Councilman Burns, seconded by Councilman Morabito to approve the Work Session December 5th and Regular Meeting Minutes of December 12th, 2011 as presented. All in favor. Attorney Blaise did comment on a couple of minor corrections to the minutes on matters when Attorney Cheryl Sacco filled in for him. Nothing major.

Abstract # 13 – Abstract Summary of Audited Vouchers for all Funds from the remainder of 2011 in the amount of \$117,282.32. On Motion from Councilman Gardner, seconded by Councilman Burns to approve. 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.

Abstract #1 – Abstract Summary of Audited Vouchers for all 2011 Funds in the amount of \$132,371.72. On Motion from Councilwoman Exley, seconded by Councilman Gardner to approve. 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

Code of Ethics

The State of New York requires we have a Code of Ethics. Since we already had one in place, we just need to enhance ours. We will use Conklin as a sample. We should have one ready in a month or so.

Employee Handbook

Supervisor Marinaccio requested Attorney Blaise to review proposed changes to the Employee Handbook when completed by Beverly Wike, Highway Commissioner Joel Kie and Supervisor Marinaccio. Attorney Blaise will have the proposed Handbook reviewed by his firm's Labor & Employment department when it is compiled by the Town. Supervisor Marinaccio is to request a hard copy for every employee. This covers vacation, sick time policies and various other items for review and awareness when a new employee comes on board.

RESOLUTION 2012-1

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 repair of waterline agreement with resident at 42 Pulaski Street. This allows the resident to pay for repairs on installment. The terms will be \$87 per months due on the 5th of each month for 17 months commencing February 2012, is \$1,550.00 and to approve the installment plan terms as presented.

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. The process was reviewed by legal that the resident must sign it. Danny Miller of the Water Department would take care of this and provide 2 copies. One copy to Beverly Wike and one copy to the resident.

Revisions to Open Meeting Law

If we know we will be discussing specific items at the meeting, we must provide a copy of the agenda by Thursday of the week prior to the regularly scheduled Monday Town Board meeting. If a resident requests copies, then they will be charged \$.25 for each copy.

RESOLUTION 2012-2

The following Resolution was offered by Councilman Morabito, 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 Work Place Violence Prevention Policy (Copy on file in Town Clerk's office) The town must adopt this policy according to the New York State Department of Labor. Training was held the week prior with a lot of questions and good discussion. It should be noted, the Town Court has more issues regarding this than any other department within the town.

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

RESOLUTION 2012-3

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:

Resolution passed authorizing the Town to participate in the Digital Towpath consortium. Digital Towpath–Storm Letter Software for Municipal Government participation for MS4. It is like a licensing agreement which includes a \$600 annual fee for access to the website utilizing the money for the cooperative. It allows each town to add their own MS4 with a link to the town. Port Dickinson is already participating. Ronald Lake, Engineer for the Town will be the primary contact and use.

(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 – 5, Nays – 0.

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

RESOLUTION 2012-4

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:

Resolution adopting and renewing Investment Policy for 2012, as previously adopted by Town Board.

(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 – 5, Nays – 0.

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

Light Pole for N Ely

Leonard Gee made a request for a light pole. Public Hearing would need to be set-up.

Status Report: John Street easement –

Attorney Blaise is trying to get in touch with the Krukowski's. Mike Urda is willing to sign off.

213 Bevier Street – Attorney General requested a re-submit with update of all the information.

36 North Broome Street – There is a continuing problem trying to reach the owner. If not heard from by mid-January we will take other actions. This property has a trailer on site. No real change in status.

13 Bellaire –Owner is cooperating and deeding the property to the town.

CHAIR

RESOLUTION 2012-5

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:

Organizational meeting for posting the 2012 Meeting Schedule and 2012 Holiday schedule. (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 – 5, Nays – 0.

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

Property Next Door

It is recognized we need to brainstorm the Dan Babcock property next door before we move forward or make any decisions. We shall continue to use the property for now. Again, we need to go over the details before we make any move. Councilman Morabito asked about the space off in the back portion of the property, behind the building. We will thank Mr. Babcock with a formal letter.

Time Warner Cable

The cost is going up from \$6.40 to \$7.40 per month.

Committee Reports:

Public Works – Water Department & Highway Department

Sunrise Terrace Park is being worked on to replace a sewer main on Adams Drive. They will be going straight through the infield and lay about 800 feet of sewer pipe when it's done. It will avoid them having to remove bleachers or disrupt the dug-out as the original piping lay directly underneath them. It should be noted a portion of Adams Drive and Elm will be repaired in the spring 2012.

Danny Miller of the water department reported he would like to accept the re-bid for the Kingsley Power Systems generator for \$16,140.00 with the five (5) year warranty. The second re-bid was for \$19,000.00. On Motion from Councilman Morabito, seconded by Councilman Burns to approve. 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.

Councilman Burns wanted to know what we will do with the old generator. The old generator will be repaired and installed here at the town hall.

1. Danny Miller of the water department reported the old damaged generator can be repaired for \$2,100.00. We will repurpose the generator to generate power for our buildings. It was unanimous to just do it and have Kingsley Power Systems do the repair on this generator. All agreed..
2. Highway Commissioner Kie recommended we install a light pole (near JT Boulevard, on Lower Stella Ireland Road. He will move forward on this.
3. 253 Bevier Street – A concerned resident is reporting a code violation. The sited property is vacant and needs to be boarded up. The windows are being smashed by vandals. Currently the house is salvageable. Kids and animals can get in. Talk to Oliver regarding this.
4. Richard Church presented a report about the 2006 and 2011 flood. Flapper/gating pipe is 54 inches. A proposal is needed for the Department of Transportation (DOT) study before they will do anything about it. State of New York wants a study stating the flapper gate will not flood somewhere else. Supervisor Marinaccio will be meeting with the state so our town does not incur the cost of this project.

5. Supervisor Marinaccio showed us a pamphlet on the Town of Dickinson created in 1976 during the Bi-Centennial. It will be placed in the archives.
6. Danny Miller of the water department reported that on Adams Drive he will be taking lead pipes off of their water services and replacing it with copper service in the spring.
7. Councilman Burns approached the people at Rogers Moving to store records at .40 per box per month and \$1.50 per box to view the stored records. After seven years it is \$.20 per box for shredding on or off of town property.
8. Supervisor Marinaccio questioned can the court obtain a grant for records management. If not available then is this doable on our own? Rogers is a secure/Lock and Key operation and we shall look into it. We will then wait to hear back from Susan Etherington of the New York State Archives of Region 6 who will look into a Broome County shared document storage initiative.
9. On motion by Councilman Morabito and seconded by Councilman Burns Motion to approve the monthly reports for the months of October and November of 2011. All in favor.

Finance Reports for October and November 2011

On Motion from Councilman Morabito, seconded by Councilman Burns to approve. 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.

Zoning Board None

Code Enforcement None

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:09 PM

Respectfully submitted,

Wanda R. Broczkowski

Town Clerk