

## September 9, 2013 – WORK SESSION & 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 promptly at 5:30 PM on Monday, September 9, 2013 in the Town Hall, 531 Old Front St., Binghamton, NY.

This is the third 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**

### CHAIR

### SUPERVISOR'S REPORT

Supervisor Marinaccio welcomed everyone and gave his report for the month of September. His report will be placed on file. Here are some highlights:

- No word yet on a September **Association of Towns Meeting**.
- Reminder: There will be an “**Extreme Weather, Climate Change, Mitigation & Adaption**” meeting held at **Kopernik Observatory**, on Sept. 13, 9 am to 5 pm. There is a registration fee of \$25. Supervisor Marinaccio is not able to attend.
- Reminder: received a letter of resignation from our town assessor David Hamlin indicating that his last day serving in that position will be Sept. 30. A want ad was placed in the newspaper last week and we received a great deal of applicants, most with no experience in assessing. We interviewed one person last week and we will conduct another interview tomorrow with Councilman Morabito and Councilwoman Exley. We hope to make a recommendation by our next meeting. Please keep in mind that this is a 6 year appointment so it is important to hire the right person.
- Mr. Marinaccio plans to attend the County executive's Budget Address on Wednesday, September 11, 2013.

## SUPERVISOR'S REPORT (CONTINUED)

- In regard to the 2014 town budget, all departments have turned in their budgets for 2014 and are currently under review. I will begin the budget process Friday afternoon and will present a preliminary to the town board as quickly as possible for their review, recommendations, and any changes.
- In regard to recent vehicle break-ins in Sunrise Terrace, Sheriff Harder notified me that 4 youths were arrested and charged with the break-ins.
- Monday September 23, 7 pm, the Planning Board will be conducting their Comprehensive Plan meeting at the Sunrise Terrace Center.
- Supervisor Marinaccio will be taking part in the ribbon cutting ceremony for the new **SUNY Broome Science** center on September 26, 10 am.
- The **NYS Dept of Transportation** contacted Mr. Marinaccio in regard to the I-81 walk bridge that connects Front St. to Sunrise Terrace. This is the second time in the past few years that the subject of demolishing, repairing or other alternative for the bridge has been discussed. A public hearing, conducted by **NYDOT** will take place on Thursday, September 26, 7 pm, here at the town hall. I will make sure that our residents are notified. I will also meet with **NYSDOT** representative on Tuesday, September 24 at 10 am for preliminary discussions.
- We will be receiving an annual payment of \$39,802 from the sheriff's office for the per diem rates for out of area inmates. This is in addition to the Annual \$25,000 that we receive as part of our host community agreement.
- A meeting was held 2 weeks ago regarding the Color Run that will be taking place in our town and held at the **SUNY Broome** campus. A route is being seriously considered and will not take place on any of our residential streets. Part of the route will take place along Front St. from the North Campus Drive to Van Winkle Drive, then up to the sheriff's building and around the campus. We are looking at May of 2014 for this event that has the potential of bringing in 5 thousand participants to run/walk. Part of the proceeds will benefit the **Mental Health Association of the Southern Tier**. Joel and Mr. Marinaccio attended this meeting along with representatives from **BCC**, the sheriff, county, state, **MHAST**, Chamber, Etc.
- Supervisor Marinaccio received letter from the **NYS Dept of Agriculture** indicating that the DCO services (Dog Control Services) were found to be satisfactory regarding compliance to **NYS Ag & Market** requirements.
- **NYSEG** warning letters- none received this month.
- Code violations – No reports as of this meeting.
- Dog Control Officer's monthly report – Wandering dogs, dogs attacking other dogs, constant barking dogs, runaway dogs (from the shelter), and other issues were addressed.

**CHAIR**

**239 REVIEW**

The Town of Union sent a 239 review of their Code updates. All 239's are on file with the Town Clerk.

**PROPERTY TAX CAP**

A property Tax cap year 3 review on Thursday, September 19<sup>th</sup> 10:30 am to noon at the County Building, Legislative chambers.

**PUBLIC COMMENTS**

Resident Jean Compton asked if we had gotten any word on when the lights on Bevier Street, the highway and the ramps will get turned back on. Night visibility is poor. Supervisor Marinaccio said most likely it will not be until Phase I of the highway project is completed. Dec 2015 will be completion of Phase I and Phase II will be started by then.

Resident Jim Love of Orchard Road noticed all the trees and shrubs at the Prospect Street **Broome Developmental Center** have been chopped down. Public Works Commissioner Kie will see about talking to someone at the **BDC**. There is to be a meeting regarding the closing of the **BDC** and **Psych Center** Friday. The meeting is open to the public.

The public comment period was then closed by Supervisor Marinaccio.

**APPROVAL OF MINUTES**

On a motion by Councilman Morabito, seconded by Councilman Burns to approve the Work Session and Regular Meeting Minutes of August 12, 2013. All in favor. Vote -5 Ayes, Nays-0.

**ABSTRACT #9**

Abstract Summary of Audited Vouchers for Funds in the amount of \$400,072.97. On Motion from Councilman Gardner, seconded by Councilman Morabito 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**

Attorney Blaise reported there was to be a Road Use local law meeting at the County Office Building regarding the proposed Local Law. When the attorney's arrived, there were numerous special interest groups present, which made it impossible to discuss specific technical and legal aspects of the proposed law. The meeting was rescheduled to Friday, September 13<sup>th</sup>, at the law offices of **Coughlin & Gerhart, LLP** in Kirkwood. Mr. Blaise will report back next month.

**13 BELLAIR AVENUE**

Mr. Laskowski is officially the new owner of the property. The sale has been completed finalizing the closing and filing the transfer of papers per Attorney Blaise's office.

**SOLID WASTE DISTRICT NO. 1 AND EXTENSIONS 1 AND 2 BID AWARD**

The contract of the three (3) companies **Adams Disposal Service, Taylor Garbage Service and Waste Management** for the Dickinson Garbage District No. 1 and Extensions 1 and 2, were reviewed by Attorney Blaise. He reported after reviewing the bid packages Waste Management was the only bidder who had fully completed all documents and they were all in order. Theirs appeared to be the lowest responsible bid. Supervisor Marinaccio declared we should authorize **Waste Management** as the successful bidder.

Supervisor Marinaccio requested the board consider including "White" pick-up for less than an additional \$2,000. Public Works Commissioner Kie reported with many businesses offering free appliance take-away with an appliance purchase there are fewer appliances at the curb. It was decided to go with the "Price without White" for \$188,698.

**RESOLUTION 2013-31**

The following Resolution was offered by Councilman Burns, who moved its adoption, seconded by Councilman Exley to wit:  
BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

**The Supervisor is authorized to sign 2 (two) year contract of the waste hauling contract with Waste Management for the Garbage District. (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

All in favor: Contract on file.

**PROSPECT TERRACE FIRE DEPARTMENT 5 YEAR CONTRACT UP**

The **PTFD** contract is due for renewal. Attorney Blaise needs the annual amounts from the fire company. They contemplated an increase and Supervisor Marinaccio reminded them any increase gets applied toward the “**Tax Cap**” and therefore would have to decrease the budget somewhere else. A preliminary **PTFD** meeting is scheduled prior to the public hearing at our regular meeting on Tuesday October 15<sup>th</sup> at 6:00 pm. It should be noted, a fire company representative must be present at the public hearing.

At this time, Supervisor Marinaccio commented further on the closing of **BDC** and that it would affect the **PTFD (Prospect Terrace Fire Department)** revenue by \$12,000 annually. Supervisor Marinaccio commented with the closing of **Broome Developmental** facility by the State this would be a loss to the **PTFD**. The building would still need protection if **BDC** closes.

**URBAN FARMING LOCAL LAWS AGRICULTURE CODE**

Attorney Blaise reminded the Board of the request by a resident of Sowden Street to amend our animal control local law to allow residents to raise and keep 3 or 4 chickens for the production of eggs on their property. Presently there is a prohibition in the Town except for agriculturally zoned areas. Prior to this evenings meeting, the resident dropped off a package which included laws from the City of Binghamton and various municipalities across the state local laws that allow residents to raise chickens under their code. Mr. Blaise will discuss these materials with Councilman Gardner.

### **158 OLD STATE ROAD TAXES DUE**

Attorney Blaise reported the Town received a school tax bill in the amount of \$160.00. The annual Tax Exemption deadline is March 1<sup>st</sup> through **Broome County Real Property**. The property was acquired after the deadline so this year the town will have to pay the school tax, then apply for an exemption for the following 2014 school tax year. The same applies to pay the property taxes due January 2014 until the exemption can be granted, March 1<sup>st</sup>, of 2014.

### **BC (BROOME COUNTY) LAND BANK CORPORATION GRANT**

Attorney Blaise researched a recent County request by **Frank Evanelisti, Chief Planner of the BC Department of Planning and Economic Development** inquiring about the town's consideration of adopting a resolution of support for this Grant Application. The purpose is for the established **Broome County Land Bank Corporation** for funding from the **Attorney General's 'Community Revitalization Initiative**.

The benefit or idea is it is geared towards plots of land with old industrial buildings on them which need to be condemned or demolished. The towns would be required to donate the properties to the County once condemned. The more towns who adopt the requested resolution will symbolize a unified local support towards the County to enhance the opportunity to obtain seed money under this State program to eventually acquire Federal funding. The goal is to realize these abandoned properties make it back onto the tax rolls.

This is only an advisory, not a mandate. There were 2 (two) other towns who opted out and we also say 'no' since we do not have any such areas nor see a benefit to the Town.

### **CHAIR**

Supervisor Marinaccio reported the proposed **Microtel** project comments are due back by the 27<sup>th</sup> from the Town Planning Board requesting a variance in the zoning. The proposed date of demolition could be December.

### **RECENT RAIN STORM**

Chenango Shores fared well during the 2" rainfall well a few weeks ago. Water went up a little but then it went right down in the retention pond near the Regal Theater. No major flooding.

## **COMMITTEE REPORTS:**

### **PUBLIC WORKS – WATER DEPARTMENT & HIGHWAY DEPARTMENT**

1. Public Works Commissioner Kie reported they will switch their cell phone service from **Sprint** to **Verizon** because the service has been consistently ‘dropping’ calls and experience dead zones. We qualify for a state municipality rate under the Verizon plan.
2. **PTFD** Chief Jason Delanoy called a meeting for 6:30 pm September 10<sup>th</sup> to review the fire contract.
3. The spur at Old State Road needs to be repaired now that the water tank project is complete. This project cost came in at \$380,914.00 plus now an additional \$25,000 for the road repair. Councilman Morabito asked if any other pipes or drainage pipes need replacement before the paving commences. We would replace the culvert and verify any replacements needed while the road is opened up. This would be an additional expense but the word from the board is just getting it done.
4. Danny Miller of the water department is working on the master pit at the cul-de-sac of Old Front Street. The pit will be cut out and rebuilt.
5. The right-of-way for the Phelps Street property is progressing. Public Works Commissioner Kie reported the survey is scheduled to be done next week. In the future we should re-name the street possibly to N. Moeller Extension. The right-of-way will connect **Brandy Wine Heights** to **Rogers Mountain Way**.
6. **DOT** is replacing the street light lines they damaged with fiber optics lines on Old Front Street.

### **PLANNING & ZONING BOARD**

The next **Planning Board** meeting is scheduled to be held at the **Sunrise Terrace Community Center** on Monday, September 23<sup>rd</sup> at 7:00pm.

The **Microtel** project is currently working respectively with both boards.

### **CODE ENFORCEMENT**

None to report.

## **PUBLIC COMMENTS**

Resident Frederick Short of Jameson Road raised a flood concern about the construction site of the new BCC dorms site. He reported a pipe was removed and sealed off. Mr. Short believes if it backs up it could potentially flood and cause the waters to rise and flow down to Front Street. Mr. Marinaccio' response was the Town's water goes through **Broome Community College's** system and with the recent re-installation of the flap gate along with the retention pond, it should not affect us. Supervisor Marinaccio will request our Engineer for the Town review the situation.

Regarding the dog issues at 2 Boland Road, Mr. Short reported there are many dogs, possibly up to 4 that he can count plus a litter of puppies. We have asked the **Dog Control Officer** to monitor the situation.

Councilwoman Exley reported a wide screen TV has been sitting at the end of a driveway for 5 weeks now at 146 Glenwood Road and requesting Code to follow-up on it.

## **MONTHLY FINANCIALS**

Monthly financial report for the month of June needs approval. On motion from Councilman Morabito moved to approve, seconded by Councilman Gardner. All in favor.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 6:32 PM

Respectfully submitted,

**Wanda R. Broczkowski**

Town Clerk