

January 5, 2015 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:31 PM on Monday, January 5, 2015 in the Town Hall, 531 Old Front St., Binghamton, NY.

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

ORGANIZATIONAL RESOLUTION FOR 2015

Attorney Blaise is reviewing on the 2015 Organizational resolution and requested it be re-circulated with the board members before the next meeting. Mr. Marinaccio stated Joseph Bigart will fill the **BAR** opening. This is the only change before the board will pass the resolution at the regular January meeting.

ATTORNEY

TOWN BOUNDARY TO ANNEX 932 UPPER FRONT STREET TO TOWN OF CHENANGO

Attorney Blaise reported that the Town of Chenango approved the local law for the annexation of property on Upper Front Street and it was filed with the State. The Schlesigers' are concerned about covering the cost of the survey of \$850. Mr. Blaise will contact them regarding the matter.

MARION STREET PARCEL

Attorney Blaise reported there is an issue on the survey and they want to go over the map as it does not match the tax map. Attorney Blaise and his office continue to pursue the transfer of the property.

NOISE ORDINANCE

Attorney Blaise reported a letter was sent to **Burt Adams Disposal** regarding the early collection hour practices in the Town. The **Highway Code Department** will continue to monitor the situation. We will wait and see if the situation continues.

SITE PLAN ISSUES OF MANLEY'S ON UPPER FRONT STREET

Attorney Blaise was able to retrieve the files of previous Town Attorney Catherine Schaewe. Upon preliminary review, it looks like the hours of operation were established from 5:00 AM to 1:00 AM. Mr. Blaise will continue to pursue all of the documents as there may be a more up to date document about the store's hours of operation. It was noted that the Downs Avenue **Manley's** location had a restriction that the speakers need to be off by 11:00 PM.

Resident Jim Love's recollection was a 6:00 AM to midnight hours of operation. Mr. and Mrs. Yagley at 8 Orchard Road, who live next door to Manley's, were wondering why it is open as late as 1:00 AM since the Morabito take-over and the college students residing in the new dorms. Mr. Blaise will continue to research the 2002-2003 records in hopes to confirm the hours of operation.

CHAIR

SENATOR LIBOUS GRANT

Supervisor Marinaccio learned the application is currently in the governor's office for review for the \$50,000 request for public works from Senator Libous's office.

PORT DICKINSON PUBLIC WORKS CONSOLIDATION TALKS CONTINUE

Supervisor Marinaccio met with Mayor Kevin Burke on January 2nd. Mr. Burke wants to continue pursuing the Public Works consolidation between both the **Town** and **Village of Port Dickinson** regarding the town's potential takeover of the village's **Public Works Department**. Mayor Burke has had inquiries from residents of **Port Dickinson** about the talks.

ORGANIZATIONAL RESOLUTION 2015

Supervisor Marinaccio asked the board to review the **2015 Organizational Resolution** and get back to him with any questions. Councilman Morabito will be the Deputy Supervisor for 2015. The board will vote on this next week at the regular January meeting.

ASSOCIATION OF TOWNS MEETING

Supervisor Marinaccio confirmed the next **AOT** meeting will be held December 18th at My Uncle's Place when the 2015 slate of officers will be voted upon. Supervisor Marinaccio will no longer be an officer. The new officers will be sworn in at the January meeting at a date and place to be announced.

BUILDING CODES

Code Enforcer Rafferty reported that there is proposed **New York State legislation** to mandate 30 days to resolve code issues.

The New York State Department of State is currently developing a rule that would amend 19NYCRR Part 1203 by adding a section fixing the time within which compliance with an Order to Remedy violations of the State Uniform Fire Prevention and Building Code (Uniform Code) would be required. The Department of State invites public participation in the rule development process.

Rafferty states this is 'not a good thing' for the reason we currently give 5 to 10 days to be in conformance. For example the Town code requires residents to remedy smoke detectors in 5 days, tall grass and junk cars 10 days. Rafferty will send a letter to the Department of State to make an objection with his comments of displeasure regarding this 30 day compliance period.

This led to considerable discussion on the various ways to serve violators. They include personally serving residents via the Sheriff, using a process server and registered or certified mail, which people knowingly work around to dodge the system.

Attorney Blaise suggested **Code** get more aggressive on certain violations by taking photos with the intent of presenting them during the **Court Appearance**. The town would then mow the lawn or remove the vehicles, which are permitted by the **Town Code** as the case may be, and pass along the fees to the defendant.

MICROTELL TO GENERATE REVENUE

Supervisor Marinaccio reported the new hotel is getting a lot of positive attention with the media. The hotel will generate property taxes, sales tax and much revenue. No complaints from the residents in the area of demolition activity.

COLOR RUN 2015 DATE SET

Supervisor Marinaccio reported the date for the **Color Run** will be Sunday, April 26th, 2015.

NEWSLETTER

Supervisor Marinaccio requested articles for the annual newsletter be submitted as soon as we can with a deadline of April 1st. We will be mailing it and on the website. Submission should be to Councilman Morabito and Supervisor Marinaccio.

BUDGET FOR 2015

Supervisor Marinaccio requested all departments curtail spending as we proceed into 2015.

AUDIT REPORTS

Supervisor Marinaccio reported the self-audit went really good per Councilman Morabito that was conducted by Michael Giovinazzo, a former New York State Auditor. Supervisor Marinaccio stated he and Mr. Morabito will meet with him to implement some of his recommendations and changes to the board.

PUBLIC WORKS

1. Mr. Kie reported on fire hydrant activity. One on **Sunset Drive** was leaking and the other one on **Terrace Drive** near the **Sunrise Terrace Community Center** was taken out by a driver. Both will be repaired or replaced as necessary.
2. **Public Works Commissioner Kie** is working with **NYSEG** to have lights repaired and bulbs replaced on sections of Front Street by Panko Electronics. In addition, resident Love noted 11 of 30 street lamp lights are out on the new **I86** section of the Prospect Mountain area. The lines on the roads are not clearly marked and very dark at night along these roads. Supervisor Marinaccio will contact Jack Williams of **DOT** to speak with him regarding the outages as safety is our concern.

CODE

None.

ASSESSOR

None.

PLANNING AND ZONING BOARDS

None.

On motion by Supervisor Marinaccio, the work session was adjourned by motion from Councilman Morabito and seconded by Councilman Burns at 6:11 PM.

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk