

February 1, 2016 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, February 1, 2016 in the Town Hall, 531 Old Front St., Binghamton, NY.

The members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
Stephen M. Gardner, Councilman
Sharon M. Exley, Councilwoman
Danny F. Morabito, Councilman
Thomas J. Burns, Councilman**

Also attending:

**Oliver N. Blaise III, Esq., Town Attorney
Susan Cerretani, Town Clerk**

Also in attendance: Resident Jim Love

CHAIR

Opened the Public Hearing portion of the meeting.

PUBLIC HEARING: ADOPTION OF LOCAL LAW ENTITLED “ELECTRICAL CODE”

The public hearing was opened at 5:30PM by Supervisor Marinaccio regarding the adoption of Local Law entitled Electrical Code.

Attorney Blaise explained the codification of the Electrical Code.

Mr. Blaise stated that whenever there is electrical repair work to a structure, whether it is a residence or a business, an inspection must be performed by an inspector designated by the town as acceptable, such as **Atlantic-Inland** or **NYSEG**.

A lengthy discussion followed.

- Commissioner of Public Works Kie stated that currently the Town does not perform electrical inspections; however the residents are instructed to notify **NYSEG** and obtain an inspection by an approved inspector once electrical work has been completed. However, as it stands, it is not listed as a requirement in the code book.
- Councilman Morabito commented that the application and issuance of a building permit prompts the need for an inspection.
- Councilman Burns and Attorney Blaise commented that when services are upgraded, the power is shut off therefore **NYSEG** needs to be notified in order to turn the power back on.

The Electrical Code will require that any electrical work completed in the Town be inspected by a third party inspection agency.

With no further comments or questions, Mr. Marinaccio closed that portion of the public hearing at 5: 54 PM.

NEWSLETTER ARTICLES

Supervisor Marinaccio encouraged the Board members to “get going” on their newsletter articles.

ASSOCIATION OF TOWNS AND VILLAGES TRAINING FEBRUARY 17, 2016, NEW YORK CITY

Supervisor Marinaccio mentioned that the annual **Association of Towns and Villages** training will take place in New York City on February 17, 2016. Supervisor Marinaccio and Councilman Gardner will be attending. In the Supervisor’s absence, Councilman Morabito will act as Deputy Supervisor.

REMINDER: PROSPECT TERRACE FIRE DEPARTMENT IS HAVING THEIR ANNUAL SWEARING IN CEREMONY ON FEBRUARY 20TH

Supervisor Marinaccio relayed that the **Prospect Terrace Fire Department** annual swearing in ceremony will take place on February 20th, 2016. Mr. Marinaccio has received 11 responses so far and asked the board members to RSVP as soon as possible.

231 BEVIER STREET PROPERTY

Supervisor Marinaccio and Public Works Commissioner Kie have been receiving phone calls from a Bevier Street resident complaining that his neighbor is storing junk in the backyard and the resident believes that there is drug activity going on at the residence. Supervisor Marinaccio instructed the next door neighbor to call the police. The property is being occupied by decedent’s girlfriend. The question brought forward was who can the town cite for the code violations? Attorney Blaise stated that according to code, the Town can cite the owner/occupant of the property. Attorney Blaise recommended that the Code office get in touch with the police to determine who is living there or we can view the police reports.

It was suggested that the occupants be notified that a violation notice will be coming. Supervisor Marinaccio and Public Works Commissioner Kie will follow up.

MULTI USE PATH AGREEMENT

Supervisor Marinaccio presented a copy of the Multi Use Path Agreement to be filed in the Clerk’s office.

LETTER FROM SUNY BROOME EQUIPMENT UPGRADE

Supervisor Marinaccio received an email regarding a radiologic equipment upgrade at **SUNY Broome** notifying the public there will be a Public Hearing. They have obtained a Grant up to \$150,000 through **Empire State Development**.

ATTORNEY

DISCUSSION: PROCESS FOR DISSOLVING GARBAGE DISTRICT 1

Attorney Blaise supplied the board members with a handout detailing the process for dissolving the Garbage District.

Attorney Blaise explained there is a method for dissolving a special improvement district that can be done by petition or at the board level.

Summary of procedure for dissolution at the board level:

- Commence Dissolution by resolution
- Plan of Dissolution including 14 items
- Post and publish dissolution plan
- Public Hearing
- Amend or adopt Dissolution Plan
- Effective date of Dissolution
- Winding down; resolving claims (sole purpose special district)
- Records of the district
- Debts and liabilities
- Approve final version of dissolution plan

Attorney Blaise and Supervisor Marinaccio commented that in this instance dissolution should be a fairly simple process.

Attorney Blaise stated that we could adopt a dissolution plan in May while the district still exists for the rest of the year. This will give time to notify the residents and give them plenty of lead time to line up service for January 1, 2017.

Supervisor Marinaccio stated that this would really help the town to stay within the Tax Cap for another year. Councilman Gardner commented that taxes will decrease in the amount of the garbage district and the residents need to be told of the benefit of it. Supervisor Marinaccio stated that the average amount of a household contract for garbage is approximately in the \$50 range per quarter.

The board members expressed many concerns, specifically:

- We need to make sure the residents can get service and that the haulers will collect in that area. Steep hills. We need to meet with the haulers. Haulers must agree to provide service.
- People don't like change.
- Educate the people that it is for the good of the entire town. Explain how it affects the Tax Cap. Explain why other services deteriorate because of the garbage district.
- The change could cost the residents more money.
- The hassle of obtaining service.
- Disposal of garbage – improper dumping.
- Renters and absentee landlords
- 500 plus households in the district

Supervisor Marinaccio stated that the people of the district need to fully understand what we are trying to do and education is very important. Mr. Marinaccio will address the issue at the Prospect terrace Fire Company meeting on February 20th.

Step one:

- Supervisor Marinaccio will arrange a meeting with Taylor Garbage and Bert Adams Disposal and report back to the board next Monday.

- Mr. Marinaccio and Councilman Morabito agreed that we must reach a comfort level to effectively present this to the residents.

Attorney Blaise will check if it is subject to permissive referendum.

The discussion ended at 6:27PM

DISCUSSION: PROPOSED CHANGES REGARDING STOP SIGNS AND SIDEWALK MAINTENANCE

1. § 528-32 Schedule VI: Stop Intersections.

Stop Sign on: Taft Avenue
 Direction of Travel: East
 At Intersection of: North Moeller Street

Stop Sign on: Taft Avenue
 Direction of Travel: West
 At Intersection of: North Louisa Street

Stop Sign on: ~~North Moeller Street~~
 Direction of Travel: ~~North~~
 At Intersection of: ~~Taft Avenue~~

2. § 484-5 Sidewalk maintenance; violations.

A. The owner or occupant of every property shall ~~pave~~, keep and maintain the existing sidewalks adjoining his premises in a safe, passable condition and the sidewalk free from snow, ice, dirt, filth, weeds and other obstructions.

All other provisions of § 484-5 will remain the same.

Attorney Blaise met with Public Works Commissioner Joel Kie to review placement of stop signs in Brandywine Heights. Attorney Blaise distributed a chart to the board members detailing the stop sign placement.

Attorney Blaise stated that upon reviewing the code, Mr. Kie noted that the language term “pave” under sidewalk maintenance code needs to be omitted. This will require a public hearing.

1. Review of chart
2. Sidewalk maintenance - omit language “pave”
3. Set a Public Hearing to change language

4. Commissioner Kie asked to add another sign: Eliminate stop sign at N. Louisa, North at intersection of Taft Ave.

Attorney Blaise stated that we want to put in Code what is on the ground and eliminate what is in the code and is not on the ground.

PUBLIC WORKS

PARKING ON ADAMS STREET CUL DE SAC

Public Works Commissioner Kie stated that currently there is no parking on the right side of the street at the Adams Street cul de sac. He stated that It should be changed to the other side so residents can park in front of their houses.

A Public Hearing will have to be scheduled.

APPROVAL FOR MONEY FOR SEWER STATION

Public Works Commissioner Kie stated that at next week's meeting he will ask for approval for money for sewer station at BCC. He stated that 1983 was the last time the station was upgraded. The options were explored and the Chippo grinder is the best solution. Currently the pipes are too small to handle the flow. 3 pumps are needed with the pipe inside altered. It is going to run around \$110,000. This situation is occurring partly because of **SUNY Broome's** expansion. Supervisor Marinaccio stated that the school is expanding but it shouldn't be at the Town's expense.

Attorney Blaise will prepare a resolution for emergency and/or sole source provider.

Public Works Commissioner stated that it will take until July before we get the equipment, approximately 18 weeks and the timing should work out because school will be out of session. 4" pipes will be changed out to 8" pipes.

Mr. Marinaccio stated that it should be part of code that any kind of a new development or expansion should be required to have their own grinder pump.

There was a discussion touching on these points:

- For future reference at the next phase of development insist that the dorm puts in its own grinder pump
- Consider maintenance provisions
- Consider a provision for upgrades to the system - payment to the sewer district
- Taxpayers end up paying for expansion

Supervisor Marinaccio stated that the town will not borrow the money for this upgrade.

WATER BREAKS

Public Works Commissioner Kie received 4 calls this week. Supervisor Marinaccio stated that he will send out a blast to the board members when he is notified of a water break.

STOP WORK ORDER – DOUBLE THE BUILDING PERMIT FEE

Public Works Commissioner recommended that residents who are caught without a building permit and issued a Stop Work Order the permit fee should be doubled. Attorney Blaise stated that the Town of Kirkwood has this policy in place. A Public Hearing needs to be scheduled.

SPEEDING CARS ON MARKET STREET

Supervisor Marinaccio received a phone call from City Councilman Giovanni Scaringi, regarding complaints about cars speeding on Market Street. Mr. Scaringi wanted the Town to put up a Stop Sign on Market Street. **BMTS** agreed to do a study. **BMTS**'s recommendation was NO STOP SIGN. Supervisor Marinaccio will follow up with Mr. Scaringi.

PROSPECT TERRACE FIRE COMPANY MEMBERS OUT OF DISTRICT

45% members of the **Prospect Terrace Fire Company** are out of the District. Attorney Blaise sent two letters to the **State Homeland Security** who Mr. Blaise thought had jurisdiction over this. Chief Delanoy has been trying to contact the State to see if there are any other places to send the letter. Supervisor Marinaccio stated that the town is waiting to hear back from the **Prospect Terrace Fire Department** regarding this.

DIGITAL SIGN SUNY BROOME

Councilman Burns expressed his concern and dissatisfaction with the digital sign that was recently erected on the **SUNY BROOME** campus. He feels it is too big and ugly and potentially dangerous to motorists. He expressed the need for better communication with the college. Councilman Morabito mentioned the location and angle of the sign don't feel right. Supervisor Marinaccio would like to speak with Code Enforcement Officer Rafferty (who is currently on vacation) before he follows up with the college.

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 6:35PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk