

March 5, 2012 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 5:32 PM on Monday, March 5, 2012 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
Stephen M. Gardner, Councilman
Sharon M. Exley, Councilwoman**

Also attending:

**Oliver N. Blaise III, Esq., Town Attorney
Wanda R. Broczkowski, Town Clerk**

Absent:

Thomas J. Burns, Councilman

ATTORNEY

PUBLIC HEARING S

LOCAL LAW NO. 1 – 2012 A LOCAL LAW ADOPTING A CODE OF ETHICS

The public hearing on Local Law No. 1 was opened by Supervisor Marinaccio. The first ethics policy was passed and put in place in 1970, 42 years ago. This new policy covers conflict-of-interests for elected officials and all employees that may arise, as well as other issues that may come before the board and other officials. Windsor, Maine and many other towns have one that is almost identical, and defers to the Broome County Ethics Committee for formal opinions. Attorney Blaise, reviewed various scenarios of how a conflict may be handled and discussed how a matter would be referred to the county advisory committee. This policy is self-policing and requires the town to take action before a matter reaches the point of an investigation. It was also discussed by Attorney Blaise, the board and officials present that this local law would not have a negative environmental impact. The public hearing was closed at 5:54PM.

INSTALLING A LIGHT POLE ON LOWER STELLA IRELAND ROAD AND JT BOULEVARD

The public hearing for installing a light pole at the intersection of Lower Stella Ireland Road and JT Boulevard (resolution #2012-7) was opened by Supervisor Marinaccio at 5:57 P.M. We researched the situation and it should be noted all nearby residents were notified by mail and there were no residents from the area in attendance pro or against present. It was also discussed by Attorney Blaise, the board and officials present that this action would not have a negative environmental impact. The hearing was then closed at 6:04 P.M.

JOHN STREET DRAINAGE EASEMENT

Attorney Blaise reported that the Urdas and Kurkowskis have signed permanent easements giving the Town access through their properties to maintain the drainage ditch at the end of John Street. He and Public Works Commissioner Kie reported that the Bolands' counsel is concerned about liability issues for the work done on their property (e.g., marking the ditch to warn of its boundaries), as well as access to the cul-de-sac from their property for possible future development. Supervisor Marinaccio would like to define accessibility to the strip of property for future development. We are in active discussions and the document is being reworked.

PROPERTY REPORTS

13 BELLAIRE AVENUE

The owner is turning the property over to the town. Regarding the remaining amount on the former owner's mortgage, the owner and the former owner were asked to amicably work out an arrangement to satisfy the amount owed. The former will sign a mortgage satisfaction and the current owner will sign a deed to the town on Friday, March 9th. On Monday March 12th, the Board will pass a resolution accepting the property and authorizing Supervisor Marinaccio to sign the deed on behalf of the Town of Dickinson. The documents will be recorded with the County.

36 BROOME STREET

The property owner had until the end of February to agree to sign the property over to the Town of Dickinson. Attorney Blaise reported that he has not heard back from the owners. Attorney Blaise recommends to condemn the property.

213 BEVIER STREET

The Attorney General is requesting additional papers as the papers they already have are out of date. The court will likely sign-off on the transfer of the property whenever the papers are in order. Attorney Blaise will contact Kevin Keough of Broome County Real Property to inquire how far along the County is in the foreclosure process for this property.

CHAIR

FLOOD TASKFORCE

Did not meet this month.

ROGER'S - STORAGE OF RECORDS & COUNTY GRANT

Nothing new. Supervisor Marinaccio is anxious to see the cost the county would charge for use of its records storage facility before the town makes a decision on a contract with Roger's storage. No Rush on this.

NEWSLETTER

Supervisor Marinaccio state it is moving along.

FLAPGATE STUDY

Rick Woitd is working on the study and is looking for permits from New York State Department of Transportation to continue with the study. Suggest the permits be requested by the Town of Dickinson.

SEWER LINE USE AGREEMENT

Attorney Blaise, attorney for the town stated the board needs to review the Sewer line agreement with Fenton and Port Dickinson. Ron Lake, Engineer for the town needs it in the form of an electronic copy. The town needs to inform our customers of what the charges are going to be to the residents of Binghamton, Johnson City and town of Union. We will plan to meet Friday, March 9th to hopefully review this agreement so we can be ready for the regular meeting on March 12th.

FLOW MANAGEMENT

Supervisor Marinaccio is having a meeting on Friday, March 9th at 10:00 PM regarding the Broome Community College infiltration issues. Ron Lake, inquired if under shared services we could put together materials for cross training with other municipalities regarding Flow Management. In an effort to save costs, Ron will report back if other towns would be interested in joint training.

BROOME COMMUNITY COLLEGE MEETING OF NON-SMOKING POLICY

Debbie Morrello from Broome Community College has been trying to get some people together to meet to discuss the issues concerning residents since their new policy has been incorporated. Supervisor Marinaccio asked for March 19, 20, or 21st as recommended dates. Debbie is inviting representatives from Smoke Free Coalition and the Cancer Society to join the meeting as they are looking to discourage people from smoking altogether. He made it clear we are neither anti-smoking nor pro-smoking and the purpose of this meeting was to address how their policy is now affecting our residents and we need to find a way to help this situation.

COUNCIL OF GOVERNMENTS MEETING

March 7th, the Council of Governments will meet on the BCC Campus in the Decker Building at 4:00 PM. The main speaker will be Brian Sampson, Executive Director of Unshackle New York. The subject matter is Mandate Relief. 20 people are signed up and meetings are always open to the public.

BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS)

The quarterly meeting of BMTS will be held on March 6th at 10:00 AM. Supervisor Marinaccio stated he could be nominated to be the next president and if so he would accept.

MOCK COURT TRIALS

The Bar Association is sponsoring Mock Court Trials and will be conducting them here at the town hall on March 6th, 8th and 13th with local students.

TRAINING SCHOOL

Supervisor Marinaccio attended a three day Training in New York City. A few of the topics were Regional Economical Development, audits by town boards of the Town Clerk and Town Court, Real Property addressing Tax Cap, Hydraulic Fracturing, and Shared Services.

FUTURE I86 HIGHWAY PROJECT MEETING

Supervisor Marinaccio shared concerns about the I86 highway project concurrently going on with regards to the heavy truck hauling 80,000 pounds of rock on our streets and the impact this will have on road use. This project will not change Kamikaze Curve, as we know route 17, but will be changing how we enter and exit future I86. There will be some blasting. All of this will be posted on the websites and the town board will be given a list of whom to contact if there are questions or concerns over the four year duration.

TOWN COMMUNICATIONS EQUIPMENT AND SERVICES

- **Computer System** - The installation of a new server and switch on our computer system has gone very well.
- **Telephone System**- Also we will be looking at reviewing and rectifying issues on the current phone system which we currently contract with Time Warner

PRIMARY DATES POSTED

The Broome County Board of Elections notified us of the possibility of there being three primary dates to be held at the Sunrise Terrace Community Center and the costs associated with having these primaries.

OPEN HOUSE PUBLIC INFORMATION MEETINGS ON 17/I86 HIGHWAY PROJECTS

- Theodore Roosevelt School – March 13th, 2012 5:00 – 7:00 PM
- Woodrow Wilson School – March 14, 2012 5:00 – 7:00 PM

NORTHWESTERN MUTUAL BUILDING

Leonard Hilldale is looking to purchase and possibly develop this old property for various commercial uses by nonprofit organizations. He is applying for 501 (c)(3) tax exempt status for his business. Also this is a R2 residential area he would have to reapply to get a variance. Code Enforcement Officer Rafferty told him he would need to provide detailed plans before anything formal can be talked about

ASSOCIATION OF TOWNS MEETING

The next **Association of Towns** meeting will be held on March 22nd, 2012. Governor Cuomo will be there as the 2012 officers are being sworn in.

OTHER

1. Public Works Commissioner Kie reported the September 2011 flooding reimbursement was signed off with **Federal Emergency Management Agency (FEMA)**.
2. Phone System is under review to address our phone problems.
3. Now that the new server is up and running, all the council members will have their own individual Email addresses.
4. Danny Miller of the water department reported the new generator was installed at Broome Community College and will be fired up on March 20th.
5. The refurbished generator damaged in the 2011 flood will be ready soon.
6. Adams Drive: With the unusually favorable warm weather, Danny Miller will begin sewer repair water connections three weeks earlier. It will be done from Adams Drive to Rosedale Drive. Flyers were distributed to the residents. The plan is to complete by April.
7. Cutler Pond: The pond level is high. We are concerned with beavers making two dams. This is a priority since the September 2011 flood.

On motion by Supervisor Marinaccio, the work session was adjourned by motion of Councilman Morabito and seconded by Councilman Gardner at 6:53 PM

Respectfully submitted,

Wanda R. Broczkowski

Town Clerk