

May 7, 2012 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:33 PM on Monday, May 7, 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
Thomas J. Burns, Councilman
Stephen M. Gardner, Councilman**

Also attending:

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

Absent:

Sharon M. Exley, Councilwoman

ATTORNEY

PROPERTY REPORTS

13 BELLAIRE AVENUE

Attorney Blaise has been waiting for the signed contract documentation from Jennings and LCP which arrived today via UPS with all the signed insurance certificates. Once he reviews them and ensures they are proper, we will then move forward with the demolition process.

34/36 N. BROOME STREET

Attorney Blaise stated we are awaiting the results of the title search to make sure there are no outstanding liens and title is clear. At this point we are aware there are back taxes owed. Broome County Real Property has agreed to waive the taxes.

Back taxes are owed on both properties and are on the foreclosure roll.

INVESTMENT POLICY

Attorney Blaise has nothing on this today but will for next week's meeting.

NATURAL GAS RESOLUTION

Attorney Blaise described a resolution supporting the draft Supplemental Generic Environmental Impact Statement (SGEIS) to develop standards to ensure the safe development of natural gas resources, based on the expertise of the NYS DEC. It was circulated by the Association of Town and supports the State's review and regulation of "fracking" for natural gas drilling. Several towns have passed it so include

Kirkwood, Conklin, Colesville, Sanford, Windsor, and Barker It is under consideration in Triangle and Lisle.

This is a non-binding resolution lets the State know that a group of municipalities views this issue a certain way. Vestal and the City of Binghamton have opposed drilling and passed moratoriums on it. The strongest opposition seems to be in the Ithaca and Oneonta areas.

The resolution is neither pro nor anti-drilling, just a way to review the process and support the State.

PUBLIC HEARING TO REVISE LOCAL LAW OF CONDEMNATION

Public hear not held. Revisions to the Local Law for a public hearing to make the condemnation bidding threshold match the States threshold will be presented at the June meeting.

CHAIR

VESTAL GAS COALITION EDUCATIONAL MEETING

Benefits of natural gas to the area will be held in Vestal. At the Clayton Avenue School on Thursday, May 10th, registration at 6:00 and the two hour session begins at 6:45 PM.

FLOW MANAGEMENT

DEC will give an overview of the flow management plan on Thursday, June 7 at 5:30 Broome County Public Library. Ron Lake, Engineer for the Town of Dickinson plans to attend.

FLAPGATE STUDY

Rick Woitd met with Supervisor Marinaccio and Public Works Commissioner Kie. He indicated the flap gate would do a lot of good. The next step will be to have Rick Woitd set-up a meeting with DOT. Once they have reviewed his recommendations they will meet with the residents to look at what is best for the situation.

ZONING BOARD PUBLIC HEARING

There will be a public hearing on Tuesday, May 8th at 7:00 PM here at the town hall regarding the residents plan of adding a carport to 1 Wittman Road.

270 GLENWOOD ROAD PROJECT

TIOGA LEARNING LLC, which is owned/controlled by MARCHUSKA BROTHERS, wants to build a one story building of 26,000 square feet. The area is zoned R-1. The building would be used by BOCES for copying and distribution. The IDA is using the blueprint of the building. Marchuska Brothers will lease it to BOCES. The IDA will hold

the mortgage. This project has many facets, including tax issues under a PILOT program and planning and zoning regulations. An application for a PILOT agreement was filed with the Broome County IDA. The IDA has scheduled a public hearing to be held at the Town of Dickinson Town Hall on Wednesday, June 6th at 12:00 Noon.

A discussion was had about whether the proposed use for the building, is “educational” under the zoning ordinance. Educational use is permitted in R1, but the term is not defined. The question was raised whether BOCES’ current facility in Conklin for duplicating and record storage would qualify as “educational”. To date, this is only a “conceptual plan”.

Supervisor Marinaccio spoke with some of the concerned residents from Maiden Lane. He understands why people are confused and the Town has not received nor have any formal or specific information about the project. Supervisor Marinaccio provided his own comments regarding the Glenwood Road Project that no matter what happens, residents will have to recognize change will happen. It is private land and we will not have much control over it. Issues such as traffic, water and sewer line will be examined, and the Prospect Terrace Fire Department will have to get involved.

Town Engineer Lake advised that any construction plan would need to include a storm water management proposal pursuant to SWPPPs regulations. He cannot handle this job for the Town due to a conflict of interest and recommends Delta Engineering, which has done similar work for the Town in the past. He will ask Delta to submit a proposal for the Board’s consideration.

CORNELL COOPERATIVE EXTENTION

Cornell Co-operative extension Executive Director, David Bradstreet is leaving and has a new person who has taken his place. The ribbon cutting is scheduled sometime this month after the renovations.

PUBLIC WORKS

1. Public Works Commissioner Kie stated Rosedale Drive sewer project took 31 days and only 1 day was lost due to rain. It will be paved.
2. The generator is ready for installation and will need approval to cover \$6,545 for electrical components. J & R Electric to do the work.
3. Mr. Blaise will review with Mr. Kie what he deems a reasonable threshold to be for triggering road use permits under the road preservation local law. Having the threshold at 100 miles is probably too great so we should review it before we proceed.

SURPLUS BIDS

Ford F550 surplus truck minimum bid was set at \$10K. The bids were:

\$12,500 John Cook

\$10,690 JSSJR Enterprises, Inc., Village Truck Sales

Snow Plow set-up

\$500.00 John Cook

Salter/Sander

None

Trailer

None

Public Works Commissioner Kie will present his bid recommendations at the May 14th regular meeting. At that time the Town Board will vote on it.

OTHER

Attorney Blaise stated that the Town submitted FOIL requests regarding sewer flow from Union, Binghamton, and Johnson City. Their sewage flow is coming through our pipes and we will have to decide what we will charge them. Supervisor Marinaccio wants to move on this soon and to meet with them privately to review the plan. The Board's decision will state the final charges between the agreements.

On motion by Supervisor Marinaccio, the work session was adjourned by motion of Councilman Morabito and seconded by Councilman Burns at 6:15 PM

Respectfully submitted,

Wanda R. Broczkowski

Town Clerk