

April 8, 2013 – REGULAR MEETING

The 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 6:01 PM on Monday, April 8, 2013 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

SUPERVISOR'S REPORT

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

- 17 Market Street: We are currently reviewing possible action that the town may take on this address due to the ongoing criminal activities taking place there. There continue to be issues at 17 Market Street. Parties, people becoming so inebriated that the police had to be called. Met with several neighbors on Market St. and they are very angry at what is going on at this address. Supervisor Marinaccio assured them that the town will be taking action.
- 2013 Town News letter has been mailed out.
- Supervisor Marinaccio will attend the Prospect Terrace Fire Company board meeting on April 15th at their request.
- Supervisor Marinaccio attended the commemoration of the ACA Tragedy that took place at the ACA building 4 years ago.
- Mr. Marinaccio was confirmed as a member of the BC Board of Ethics on March 21. I am honored to be chosen by county administration and the county legislature. He was also selected to become Chairman of this board at the first meeting held on Thursday, April 4th.
- Our new Employee Handbook has been distributed to all department heads and staff. Everyone is directed to sign an acknowledge sheet indicating that they have read the hand book and a copy of it will be kept in their file.
- The status on the funding for the stream gauges that are located in various parts of our rivers has been refunded, at least for the short time and hopefully, this funding will be on going.

- BCC/County will be conducting a Public Hearing on the student housing project on April 10th.
- Supervisor sent pictures of the new Flap gate that was recently installed to Rick Woitd for his review and comments. He is somewhat concerned about the water that was seen along the gate and he will get back to us and to the DOT with any advice. He may have to correct this.
- The next Flood Task Force meeting is We., April 17, 1:30 pm at the county office building.
- The next Association of Towns & Villages meeting is April 25, 6:30 pm, at McGirk's. Lobby Day was cancelled due to state reps not being able to attend due to other commitments of no response from them. We did hear from Sen. Libous and Assembly persons Crouch and Lupardo.
- Our next quarterly Supervisors/Mayors meeting with the County executive is scheduled for Tuesday, April 30, 4PM at the county office building.
- Supervisor Marinaccio will be attending a Workshop for Municipal Officials: Gas well drilling and Private Water Supplies. This workshop will be held at Cornell Cooperative Extension on Thursday, April 11; from 6 to 8PM. Pre-registration was required. Topics to be discussed: basic management of private water wells, gas well drilling (regulations to protect water resources, wastewater management, etc.), Water testing Strategies (pre-drilling testing) by industry, voluntary land owner testing, understanding water test reports, and solving water quality problems.
- Prospect Terrace Fire Company will be holding the annual Pancake Breakfast on Sunday, April 14, starting at 8AM.
- The Town of Chenango has a new Dog Control officer Linda Hamilton..
- There were no NYSEG warning letters issued.
- Code violations – Only one at 703 Front St. received a court appearance ticket for a violation of the Junk and/or Abandoned vehicles. A violation notice was previously issued but not addressed by the owner.
- Dog Control Officer's report - Received the February and March Dog Control Reports.

PUBLIC COMMENT

Supervisor Marinaccio asked if anyone had any questions or concerns before we started the meeting. Tom Laskowski of 15 Bellaire wants to know how he can purchase the property 13 Bellaire, next door to him. Supervisor Marinaccio and Attorney Blaise state the Town can sell it to whomever they want to provide it is a fair offer in line with the assessed value. We would keep him in mind and try to work with him. No further comments.

APPROVAL OF MINUTES

On a motion by Councilman Morabito seconded by Councilman Burns to approve the Work Session of March 4, 2013 and Regular Meeting Minutes of March 11, 2013. All in favor. Vote -5 Ayes, Nays-0.

ABSTRACT(S) for Voucher #4

Abstract Summary of Audited Vouchers for Funds respectively in the amount of \$305,729.15. On Motion from Councilman Gardner, seconded by Councilwoman Exley to approve. 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

Unanimously passed and noted as duly adopted.

ATTORNEY

RESOLUTION 2013-16

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilwoman Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

“Schedule public hearing for May 6, 2013 regarding revisions to Local Law for compliance with updated BJCSTP regulations.”

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.

RESOLUTION 2013-17

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilman Burns to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

“Award 158 Old State Road water tank bid.”

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.

RESOLUTION 2013-18

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilwoman Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **“Authorizing the Supervisor to sign all documents necessary to effectuate the transfer title of 213 Bevier Street to the Town.”**

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.

RESOLUTION 2013-19

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilwoman Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

“Authorizing Supervisor to sign documents for purchase of Fudala property adjacent to 158 Old State Road water tank.”

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.

RESOLUTION 2013-20

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilwoman Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

“CMON Proposal of Lake Engineering and Griffiths Engineering proposal to cover onetime cost to perform professional engineering services in connection with requirements enacted by the Binghamton-Johnson City Joint Sewage Board (BJCJSB) under Article 14 – Capacity, Management, Operation and Maintenance (CMOM) Program.” This would cover 14 miles of sewer line at a cost of \$21K. This must be submitted to DEC by October. The important thing is we will be taking storm water out of the sewers. This is the first step in the process of managing our sewer rate.

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.

CHAIR

PROPOSED HOTEL INTEREST

The Northwestern Mutual Insurance Building, the former Stella Ireland School located on Prospect Street. People are interested are to call the Town attorney, Mr. Blaise. Would require a zoning change. The proposed Hotel would be a Micro-Tel franchise. Engineer for the Town, Ron Lake will be meeting with them tomorrow morning, Tuesday, April 9th here at the Town Hall.

WEB SITE CHANGES

Supervisor Marinaccio commented we are currently updating and changing the Town's WEB site.

COMMITTEE REPORTS:

PUBLIC WORKS – WATER & HIGHWAY DEPARTME

1. Public Works Commissioner Kie reported the water pipe replacement project on Pulaski Street has started on Friday April 5th. Danny Miller estimated it would take up to 6 weeks to complete.
2. Danny Miller of the water department stated the annual cost to us to purchase credits from the Johnson City water proposal will be \$6.09 per credit. Credit = 1 gallon of water. Credits can be purchased on a first come first serve basis regarding the I & I remediation at the rate of \$6.09 per credit. Also, note with the BCC dorms we should hang on to those credits; we will have rights to the surplus of the BCC credits. It should be noted outside users are paying for their credits. The Town will end up smoke testing everything to limit drainage water going from gutters to the sewer system.
3. Yard water pickup started on Monday, April 1st. It was a heavy day today.

PLANNING BOARD

Their updates of the Comprehensive Plan are ongoing.

ZONING BOARD

None

CODE ENFORCEMENT

Code Enforcement reported sentencing is scheduled for May with the Judge in regards to the Iris Drive property. The Judge sentenced her but temporarily suspended the sentence until May. If the violation is corrected by moving the trailer out by the 28th of May, the fine will be significantly less if trailer is removed from the property. Her son was in the

audience. He stated they need to remove the fence in order to move the trailer. The major issue with the situation is the trailer was bought 2nd hand and they cannot get it registered because they cannot locate the title.

Supervisor Marinaccio tried to convince him to load the trailer onto a flatbed in order to get it removed from the property, so it would not have to be licensed. He hopes she can get through this. He pointed out our departments are extremely lenient. Attorney Blaise noted the catamaran sailboat was dismantled and the remains are now a pile of trash and need to be removed and noted the judge dismissed this as a violation. Supervisor Marinaccio reiterated codes are written to protect neighborhoods or commercial zones for safety and to maintain them within Code. Some of these codes are State codes. Supervisor Marinaccio thanked the woman's son for coming to the meeting to review the situation. In the end, the unlicensed camper trailer is the only thing in violation. Councilman Burns stated if they could find someone in the trailer business to assist them with directing them on obtaining the title to this trailer.

UPDATE OF 354 PROSPECT STREET

354 Prospect Street still had a dresser there for 4 weeks, toilet and recliner and now has now added a dresser to the collection of trash. The recliner since has been removed but speakers now replaced it. This is a repeat offender; Attorney Blaise requested Commissioner Kie send him a reminder so he can issue an appearance ticket.

FINANCIAL REPORT(S)

On a motion by Councilman Morabito seconded by Councilman Gardner to approve the 2012 Financial report for the month of December. All in favor. Vote -5 Ayes, Nays-0.

PUBLIC COMMENT

Supervisor Marinaccio asked at this time if anyone had any questions or concerns before we close the meeting. There were none.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:07 PM

Respectfully submitted,

Wanda R. Broczkowski