

March 4, 2013 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio promptly at 5:30 PM on Monday, March 4, 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**

ATTORNEY

Attorney Blaise reviewed the resolution for next week concerning the 5 year terms of the Planning and Zoning Board members. Supervisor Marinaccio and Mr. Blaise met with the chairs of both boards to confirm when each person's term began or renewed and when their appointment ends. A resolution will be passed, for the public record so we do not have to be digging back into the records to figure it out. The rolling appointments will work such that each year one term on each board expires. The term is attached to the seat (5 years) on the board, NOT the person. Supervisor Marinaccio thanked Jeanne Compton of the Zoning Board and Dave Wasser of the Planning Board to verify the rolling appointments.

The Planning Board terms are as follows:

John Kolly	2013
Sue Kirkland	2014
Patrick Doyle	2015
Dave Wasser	2016
Dave Hamburg	2017

The Zoning Board terms are as follows:

James DeGeneres	2013
Jerome Ford	2014
Pat Burchill	2015
Jeanne Compton	2016
Michael Curley	2017

UNIFORM TRAFFIC TICKET WITH VILLAGE

Regarding the uniform traffic ticket with the Village, we are waiting for the court to respond to the latest round of approved revisions having already gone through the village and the town attorneys.

VILLAGE OF PORT DICKINSON WAYNE AVENUE SEWER/WATER PIT AGREEMENT

Attorney Blaise is waiting confirmation from Attorney Kline of any changes to the Village of Port Dick water sewer pit agreement for the Wayne Avenue pumping station. Engineer for the Town Ron stated he spoke to Mr. Kline who was in agreement. We could vote on it in March or in April. It will take effect in June so we are ahead of schedule on this matter.

DELINQUENT WATER/SEWER ACCOUNT OF THE TRAVELERS HOTEL, 650 OLD FRONT STREET

As of February 18th the water and sewer bill was due from The Hotel Travelers, the 'Super 8' on Old Front Street in the amount of \$10,399.12. Beverly Wike, who handles the billing, gave a detailed report regarding all delinquent amounts for this billing cycle, totaling \$51,584.00. Of these 187 accounts on the list, all started at zero as of 1/1/2013 because the prior year delinquencies had been levied to taxes. There were 122 accounts re-levied on the 2013 list with the majority being residents.

A lengthy discussion ensued about delinquent water and sewer accounts for commercial and residential users. After hearing the reports some comments were made by board members. Councilman Burns confirmed as long as we get our money, this should be our only concern and Councilman Morabito stated the residents are following the delinquent process and not doing anything illegal. Councilwoman Exley stated it may not matter if the penalty were to increase as it's usually the same accounts. Councilman Gardner agreed it would not make a difference since some people just live like this paying penalties. All agreed to not change anything. It would only make more work shutting off their water and processing delinquent penalty bills. Supervisor Marinaccio stated we may have to wait longer for our money but we always get our money back through the Broome County Real Property tax refund process.

270 GLENWOOD ROAD \$5K MARCHUSKA BROTHERS PROPERTY ESCROW REIMBURSEMENT

A resolution will be needed at the next week's regular meeting to process an escrow deposit check in the amount of \$5,000.00. Attorney Blaise received a written request from the Project Manager of the Marchuska Brothers property at 270 Glenwood Road that they will not be doing anything further on this site. Supervisor Marinaccio commented he saw a for sale sign on a property the property with an asking price of \$250,000.

SUPPORTING SUSQUEHANNA RAIN AND STREAM GAUGES

Attorney Blaise provided a draft resolution to support funding for the Susquehanna Rain and Stream Gauges. The County is recommending the towns and villages pass a resolution because the federal government wants to do away with maintaining the gauges. It is estimated the cost is between \$25K and \$40K. Currently we have the support of Congressman Richard Hanna and Senator Charles Schumer in favor of keeping them at their current monitoring station. The Town Board feels we need to keep gauges because when the waters are rising it gives us an idea how much time we have to get ready.

JUSTICE ANNETTE SLOCUM RETIREMENT and RECOMMEND APPOINTMENT OF LINDA COOPER TOWN JUSTICE

Justice Annette Slocum retired March 1st after 36 years on the bench. The Board would like to appoint someone to take her place. The work load in the court is tremendous so we need to make an appointment as soon as possible. The person would have to run in the November 2013 election and hold the position for four (4) years from 2014 - 2018. For the first time in a long time, the two (2) justices will have staggered elections. In the recent past it has always been they both run at the same time at election time. Councilman Morabito inquired what the salary would be for this appointed justice and to look into if it is set for the year or term. The salary will be verified by Supervisor Marinaccio and Attorney Blaise.

Supervisor Marinaccio has a resume' for Attorney Linda L. Cooper of the Town of Dickinson for consideration as an appointment to replace Judge Slocum. Supervisor Marinaccio requests consideration to appoint her. Attorney Cooper comes highly recommended by Attorney Blaise and Justice Gregory Gates. A resolution will be passed to appoint her at the next Town Board meeting. All board members are in agreement.

CHAIR

17 Market Street

17 Market Street has had more serious problems. There was a stabbing resulting in an arrest on multiple felonies.

ROGERS MT. WAY BUILD 1,000 FOOT ACCESS ROAD PHELPS STREET TO N. MOELLER STREET

Supervisor Marinaccio stated the status of the proposed Phelps St. rail plan for a future road. Also, we now have the assessments for 50 N. Broad Street of five (5) properties which may be helpful for the Phelps Road project.

2013 NEWSLETTER

Supervisor Marinaccio reviewed the status of articles submitted. If you still need to write one to please submit it to Supervisor Marinaccio or Councilman Morabito.

SUPERVISOR AND COUNCILMAN GARDNER ATTENDED TRAINING MEETING

Supervisor Marinaccio reported that he and Councilman Gardner learned a lot from the annual training in New York City.

Highlights:

- The TOD is already doing some of the recommendations.
- Networked with those from other municipalities.

REVIEW OF DISPOSAL FEE FOR TIRES AT CLEANUP DAY

No tires being accepted to landfill. There is a charge of \$3 or \$4 per tire. Councilman Morabito thought we should take them since we want to encourage residents cleaning up their properties. After discussion on the topic we agree to take them on our annual clean-up day.

COUGHLIN & GERHART BOOT-CAMP TRAINING

- Invitations were E-mailed to all officials of zoning and planning boards. Saturday March 16th, from 8:30-11:30 followed by a tour of the new offices located at 99 Corporate Drive, Kirkwood. This is an opportunity for members of the zoning and planning board members to receive their education credits. Those interested should see the town clerk, Wanda Broczkowski for registration information.

ASSESSED VALUES OF CONDEMNED PROPERTIES

Supervisor Marinaccio was wondering, what is the next step for selling those properties that have been condemned and demolished. They include 13 Bellaire Avenue, 34/36 N. Broome Street and 213 Bevier Street (awaiting the County transfer). Commissioner Kie is getting inquiries on their final status. No specific requirements on the sale, although we cannot give the properties away. It's possible to trade with another municipality or a person of relatively equal value.

DEC AUDIT MARCH 4, 2013

The DEC performed an audit here and those present were Engineer for the Town, Lake, Public Works Commissioner and Supervisor Marinaccio. We have been working hard at ensuring we are within the required guidelines. The MS4 auditor was quite impressed and happy with the MS4 program our Town has in place.

FLOW MANAGEMENT ISSUES IN RELATION TO THE BCC STUDENT HOUSING PROJECT

Presentation on Sewer system. Capacity Operation Maintenance. DEC wanted the sewer treatment credits to be expensive to buy, but we don't know what the cost is per credit. In the next 2 to 3 days should know. Ron Lake, Engineer for the town, is wrapping up the agreement to bundle 2 to 3 towns together in this agreement. As an example in the Town of Fenton the estimated cost of 2 miles of sewer line would be \$10K.

During the meeting, there were a lot of questions regarding the Broome Community College (BCC) student housing. The Town of Dickinson reviewed this last year with BCC warning them that this was forthcoming. Recently, President Kevin Drumm of BCC is beginning to show concern and had a meeting with Supervisor Marinaccio on this.

Councilman Morabito asked who monitors it. It would be the JCBJST Board. To begin the certification process an application form has to be submitted and goes through several steps before a certified Engineering Report document is issued. The town would need to hire a professional to certify these documents and submit proposed flow findings to the .Joint Board. New homes receive a credit of 2,500 gallons per day. You can request a waiver but you may not get a waiver.

We are combining our efforts with the Village of Port Dickinson, Town of Conklin, Town of Kirkwood and Town of Dickinson.

Ron Lake, Engineer for the town, Joel Kie Commissioner of Public Worked along with, Danny Miller of the Water Department will put together our MS 4 plan. Supervisor Marinaccio state it is quite involved and they have a lot of work ahead of them.

Supervisor Marinaccio stated that the City of Binghamton accounts for 75 % of storm water infiltration into the sewer system.

EXECUTIVE SESSION

Immediately following adjournment the board will go into executive session for potential litigation matters and for disposition of Real Property.

On motion by Supervisor Marinaccio, the work session was adjourned by motion of Councilman Morabito and seconded by Councilman Burns at 6:32PM

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk