

July 14, 2014 – WORK SESSION & REGULAR MEETING

The Work Session and 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 5:33 PM on Monday, July 14, 2014 in the Town Hall, 531 Old Front St., Binghamton, NY.

This is the first of the regular meetings which begins the summer schedule of July, August and September combining our Work Session with the Regular Meeting on the second Monday of those months with a start time of 5:30 P.M.

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
Susan M. Cerretani, Deputy Town Clerk

CHAIR

SUPERVISOR'S REPORT

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

- The July 10th **Association of Towns Meeting** was cancelled due to the lack of people signed up to attend. BU President Harvey Stenger agreed to be the guest speaker in September. Congressman Hanna will speak at a meeting in the near future.
- At tonight's meeting Attorney Oliver Blaise and Code Enforcer Stephen Rafferty will be discussing an inquiry from **Visions Credit Union** and their interest in purchasing Lothar's property.
- Supervisor Marinaccio attended the **St. Louise Manor** Open House at **Elizabeth Church Manor** on June 26. Mr. Marinaccio stated that the renovations at **Saint Louise** are outstanding with many improvements made to accommodate those who live there.
- Mr. Marinaccio relayed that Councilman Gardner will be presenting some changes to the employee handbook at tonight's meeting.

SUPERVISOR'S REPORT (CONTINUED)

- Supervisor Marinaccio had a brief conversation with Gary Holmes, Commissioner of Public Works for Binghamton. Mr. Holmes remains interested in meeting with the Town to discuss the possibility of the City decreasing their water rates to Dickinson. Mr. Marinaccio expects a future meeting to be scheduled with the City.
- Councilwoman Sharon Exley, Historian David Wasser, Code Enforcer Stephen Rafferty and Supervisor Marinaccio attended a meeting with the **BC Planning & Development Department** regarding our work in process comprehensive plan updates.
- Supervisor Marinaccio and Councilwoman Sharon Exley conducted the Proclamation of Emilia Fudala Day in the Town of Dickinson on June 22nd, presenting her with a plaque and roses. The event was well attended. Mr. Marinaccio received a wonderful thank you card from Mrs. Fudala.
- The special joint meeting of the Planning and Policy Committees which took place on Thursday, June 26th, 2014, 8:30 AM-10 AM, 18th floor, New York State Office Building was very well attended. The purpose of the meeting was to kick off the development of a Complete Street Policy and the development of Design Guidelines. In cooperation with the **Brome County Health Department** we are able to provide an introductory workshop on Complete Streets. Mr. Marinaccio said that the guest speaker was fantastic.
- The Microtel project was set to close on the property on June 13. Work schedule will be forthcoming once the property is officially transferred. The **Prospect Terrace Fire Company** remains interested in using the building for fire safety practice before it is demolished.
- **NY State DOT** Regional Director Jack Williams has informed Supervisor Marinaccio that the installation of noise barriers along Snowden Street is now very possible. Once the design is put in place, a public hearing will be scheduled.
- Supervisor Marinaccio will be participating in a panel discussion and information sharing session with **SUNY** Chancellor Dr. Nancy Zimpher on July 24, 10-11:30 AM at the SUNY Broome Campus. Focus is on the Step Up/Cradle to Career Initiative.
- Our Annual Maria Zobniw Day event is scheduled for Monday, July 21, starting at 11 AM at the Maria Zobniw monument across from the **Prospect Terrace Fire Station**. Mr. Marinaccio hopes that everyone will join us in this 5th annual event and most likely the last one that we will have honoring Maria's birthday and her commitment to the community. In the event of rain, we will be able to use the Fire Station Hall.

- Supervisor Marinaccio participated in a meeting with Brian Sampson and others at a June 24th meeting at the Chamber of Commerce with the topic of mandate relief and how the property tax cp affects schools and municipalities.
- Code violations – Multiple code violations reported including tall weeds and grass, junk vehicles, unlicensed vehicles openly stored and sanitation issues.
- David Wasser was invited to a **SUNY Broome** meeting regarding placement of designated areas of shelters for smokers.
- Dog Control Officer's monthly report – none received.
- **NYSEG** Warning Letters – 354 Prospect Street received a second warning letter to discontinue utility service due to unpaid bill.

CHAIR

MARIA ZOBNIW DAY

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NOISE BARRIERS SOWDEN STREET

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PUBLIC COMMENTS

Resident James Love commented that the opening day of the Prospect Mountain Highway Project detour onto Front Street was bad but is now much better than expected.

The public comment period was then closed by Supervisor Marinaccio.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley, seconded by Councilman Morabito to approve the Work Session and Regular Meeting Minutes of June 2, 2014 and June 9, 2014. All in favor. Vote -5 Ayes, Nays-0.

ABSTRACT #7

Abstract Summary of Audited Vouchers for Funds in the amount of \$717,237.74. On Motion from Councilman Gardner, seconded by Councilman Morabito to approve. Vote Ayes – 5, Nays – 0.

Supervisor Marinaccio voting Aye
Councilman Morabito Aye
Councilman Burns voting Aye
Councilwoman Exley voting Aye
Councilman Gardner voting Aye

Unanimously passed and noted as duly adopted.

ATTORNEY

PHELPS STREET EXTENSION

Attorney Blaise reported he sent a letter with Assessor Jack Cahill’s input to Mrs. Burke’s attorney. Mr. Blaise has not received a reply at this point. For planning purposes Mr. Blaise will reach out to Mrs. Burke’s attorney to finalize the property details.

213 BEVIER STREET SALE OF PROPERTY

The resolution and permissive referendum was placed on hold until the pending code violations at 217 Bevier Street, which is owned by the prospective buyer of 213 Bevier Street, are corrected.

RESOLUTION 2014-40

The following Resolution was offered by Councilman Morabito, 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:

**Renewal of the County Tax Collection agreement.
(Copy on file in Town Clerk's office).**

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: Contract on file.

REVISED/IMPROVED DOG APPEARANCE TICKET

Town Clerk Wanda Broczkowski requested a review of our existing dog appearance ticket for unlicensed dogs as the violation section code is no longer applicable. A discussion followed and Mr. Blaise stated that he would incorporate the changes from the discussion into a draft ticket for review at the August Board meeting.

RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT FOR TOWN PARTICIPATION IN BROOME-TIOGA MS4 COALITION

Town engineer Ronald Lake has not heard back from the County regarding the MS4 coalition. The resolution was placed on hold.

VISIONS FEDERAL CREDIT UNION INTEREST IN 932 UPPER FRONT STREET PROPERTY

Attorney Blaise reported Code Enforcer Stephen Rafferty was contacted by **Vision's Federal Credit Union** with an interest in purchasing the property located at 932 Upper Front Street for the development of drive-up ATM's and potentially a credit union building. The property that is for sale is comprised of 2 lots; the upper parcel is .7 acres and is located in the Town of Chenango, the lower parcel is .3 acres and is located in the Town of Dickinson. The Dickinson lot is zoned multi-family residential and received a use variance by judicial fiat in the 1980's. There are zoning and setback issues for the proposed use. A lengthy 18 minute discussion followed. Some of the options and concerns that were discussed were changing the zoning to C1 or C2, PUD commercial, spot zoning, Town of Chenango annexing the Town of Dickinson parcel or vice versa, combining the 2 lots into one tax map number, water and sewer issues, etc. Attorney Blaise will research.

RESOLUTION 2014-41

The following Resolution was offered by Councilman Stephen Gardner, 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:

The employee handbook is revised to provide that sick time can be used for an immediate family member due to illness. For three or more consecutive work days, a medical certificate must be provided from the family member's physician.

(Copy on file in Town Clerk's office).

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: Contract on file.

REVIEW OF EPA REGULATIONS FOR REVISIONS TO CLEAN WATER ACT

Town of Dickinson and Village of Port Dickinson will review at the August meeting.

FINAL ASSESSMENT ROLL REPORT

Assessor Jack Cahill reported on the status of the assessed valuation of town properties and exemptions for the 2013 year. He reported that through changes we raised total assessments approximately 2.2 million dollars for the town and increased the equalization rate from 65 to 71.5 percent. The Binghamton, Johnson City and Chenango Valley school districts will benefit from these increases. No one showed up for Grievance Day which demonstrated that the assessments were fair and equitable. Supervisor Marinaccio thanked Mr. Cahill for his hard work and dedication.

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COMMITTEE REPORTS:

PUBLIC WORKS – WATER DEPARTMENT & HIGHWAY DEPARTMENT

1. Public Works Commissioner Kie reports that the Glenwood Road project is finishing up and the only thing left to do is topsoil and hydro seed.
2. A **CMOM** proposal and contract document package was prepared and submitted by Town Engineer by Ron Lake.

3. The manager of the **Polish Community Center** voiced his concern over a parking issue at the Community Center. Two 'no parking' signs were removed from the Polish Community Center on the Merrill Street side. Cars are blocking the entrance to the parking lot. Superintendent Kie stated that he will replace the signs and consider the installation of curbing. A discussion of additional solutions to the ongoing problems was had. Councilman Tom Burns recommended painting yellow stripes on the road as an alternative to installing curbs. Councilman Tom Burns and Mr. Kie will take a look at the situation and report back.

PLANNING & ZONING BOARD

There is a Zoning Board Meeting scheduled to be held on July 15, 2014 at 7:00 in the Town Meeting Room, Town Office Building, 531 Old Front Street, Binghamton, NY. A public hearing for the purpose of considering a requested variance to the Zoning Ordinance, more specifically that the petitioner, Christopher & Emily Taylor, be granted a front yard variance to construct a front porch at 124 Iris Drive, Sunrise Terrace, Binghamton will take place.

CODE ENFORCEMENT

PUBLIC COMMENTS

Jeanne Compton inquired about the code for tall grass. A resident complained to her that a neighbor's backyard was overgrown and mice and rats were becoming a problem. Ms. Compton's question asked if the code applies to the front yard as well as the back yard. Superintendent Joel Kie stated that the code reads that the **average height** of the grass in the yard can be no greater than 10 inches.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:16 PM

Respectfully submitted,

Susan M. Cerretani
Deputy Town Clerk