

November 10, 2014 – 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 6:00 PM on Monday, November 10, 2014 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

Susan M. Cerretani, Deputy Town Clerk

CHAIR

PUBLIC HEARING (S)

Supervisor Marinaccio welcomed Kevin Burke, Mayor of the Village of Port Dickinson and opened the first public hearing at 6:01 PM regarding **the consideration of a new contract with the Port Dickinson Fire Company, which contract shall be for fire protection to Town of Dickinson Fire Protection District No. 3 in the amount of \$26,944 for 2015.** Supervisor Marinaccio thanked the fire department for doing a great job. There were no questions or comments and the public hearing was closed at 6:02 PM.

Supervisor Marinaccio opened the second public hearing **for preliminary 2015 Budget process at 6:02 PM.** Supervisor Marinaccio at this time reviewed the budget. These are only some of the items of interest of this 2015 annual budget.

- The our spending baseline is 2% under the tax cap
- No change in services
- health insurance increase 12%
- \$670,000 bond for Sunrise Terrace & Chenango Shores flood mitigation paid in full
- Salaries overall increase 2%
- Fire depart # \$5,000 & \$3,000 sent up by 33 cents per \$1,000 per assessed value
- Surplus to keep
- One garbage district low.
- \$200,000 of \$750,000 bond was used to pay toward Glenwood Water Project loan
- Broome County executive sees 2015 could garner an increase in sales tax revenue
- Capital Improvement for water line repairs on water bills

PUBLIC HEARING FOR PRELIMINARY 2015 BUDGET PROCESS (Continued)

At this time Supervisor Marinaccio opened up the hearing to public comments.

Q: Resident Jim Love was interested in the financial condition of **Glenwood Cemetery** and is the burials enough to sustain profitability?

A: Supervisor Marinaccio reviewed the situation back when the town ‘inherited’ managing the cemetery and explained that the expenses to maintain it are high. Social Services burials, we only get what is allowable for SS burials and is not enough to cover the cost. The town currently employs one full time person at the site and in the future considering hiring out the lawn service to a private contractor to bring that employee into the highway department fulltime. The Town is in the red and it is costing the Town approximately \$20,000-\$30,000 per year. By New York State law the **Town** has to maintain it.

Q: Mr. Love inquired how much revenue the **Town** receives from the **Broome County Correctional Facility (BCCF)**.

A: The revenue is down as there are more local inmates incarcerated at the **BCCF** and any over flow then the **County** has to board them out at an expense to the **County**. In the future years the Sheriff estimates come from a recent survey that there will be 750 inmates, currently there are 500. Supervisor Marinaccio closed the Public Hearing at 6:15 PM.

SUPERVISOR’S REPORT

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

- Supervisor Marinaccio is currently looking for BMTS funding for our Phelps St. project. Cyndi Paddick from BMTS is assisting me in this effort.
- Status: **The Planning Board Comprehensive Plan:** The planning board continues to meet on updating our comprehensive plan. Coughlin & Gerhart will be conducting a seminar on Nov. 8 that will be of interest to the planning board members. I encourage them to attend.
- Status: **Port Dickinson Public Works:** The Town will continue to meet with village officials to review the possible consolidation of the village and town public works departments. Our attorneys are involved in this effort and we hope to have specifics to share with everyone in the near future. The goal is to begin the consolidation in 2016.
- The **NYS DOT** information meetings in regard to the installation of noise barriers along RT. 17/I-86 corridor that runs past the Sowden St. area in our town were well attended. Mr. Marinaccio did not hear of any concerns or anyone against the barriers. He was told by NYS DOT that the barriers could be built in early 2015. Thanks to Joel and his staff for distributing the meeting notices to the residents in the affected area.
- The next meeting of the **BC Association of Towns & Villages** is scheduled for Thursday, November 20, 6:30 PM at the Spot Restaurant. Our guest speaker is Executive Director of the Broome County Industrial Development Agency, Kevin McLaughlin.

SUPERVISOR’S REPORT (continued)

- Mr. Marinaccio continues to attend the **SUNY-Best Committee** meetings that are held once per month for the next year or so. They continue to be extremely interesting and very informative. We have focused on the relationships between college and the city/town where they are located. Our goal is to develop the City of Binghamton and some of the surrounding communities as a College town and increase communications and awareness between the colleges and the community. At Thursday’s meeting, a speaker focused on how Cornell University is working with the City of Ithaca and the Town of Ithaca on various projects.
- Mayors and supervisors met with **County Executive Preston** and her staff to discuss the affects of the property tax cap and the refunds that some of our residents are receiving for school taxes and later on, municipal taxes. We have decided to not hold a press conference on this issue at this time but instead, continue to meet and discuss ways that we can receive some relief from various mandates or receive exemptions on some items that we pay for through our property taxes.
- The **County Board of Ethics** will be meeting on Nov. 12, 4pm to review a communication addressed to the Board.
- The audit of the Town Clerk was completed and no problems were found. The Town Court will be audited soon.
- **NYSEG** warning letters-None
- Code violations – 3 Code violations of various degrees; tall weeds, construction equipment stored openly in front yard, unlicensed dump truck and sewer backing up; Health Dept responded.
- **Dog Control Officer’s report** – Supervisor Marinaccio received the monthly report for both the Village and our Town. Stray dogs, addressed No Dogs Allowed in Port Dickinson Park with the dog owner, dog being walked in Port Dickinson park with no leash, 3 dogs defecating on residents front yard, letter sent to dog control officer indicating that someone has 3 dogs. This was addressed with the dog owner and he will not replace one of the dogs once they pass on. Dog running loose in Sunrise Terrace, dog picked up 3 times in the past for running loose and no license. License was issued along with 2 tickets.

PUBLIC COMMENTS

Supervisor Marinaccio opened up the meeting for public comments regarding his report. No one came forward.

APPROVAL OF MINUTES

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the Work Session October 6 and Regular Meeting Minutes of October 14 , 2014. All in favor. Vote -5 Ayes, Nays-0.

ABSTRACTS for Voucher #11

Abstract Summary of Audited Vouchers for Funds respectively in the amount of \$327,901.76. On Motion from Councilman Morabito, seconded by Councilman Burns 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 2014-53

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilman Gardner.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **the new contract with the Port Dickinson Fire Company, which contract shall be for fire protection to Town of Dickinson Fire Protection District No. 3 in the amount of \$26,944 for 2015.**

Supervisor Marinaccio believes there is a small increase for this one year contract. The Village of Port Dickinson will be contacted to see about the original copy of this agreement.

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. Copy of contract attached.

RESOLUTION 2014-54

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **Resolution Adopting annual budget for 2015.**

WHEREAS, this Board having, on the 10th of November, 2014 commencing at 6:05 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2015 including the budgets for all special districts for 2015, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year, and having been fully discussed and considered,

NOW, THEREFORE, BE IT RESOLVED that said Preliminary Budget approved and filed as aforesaid, including all special districts for 2015, and is hereby approved and established as the annual budget for this Town for the fiscal year beginning January 1, 2015 and that such annual budget be so adopted in detail in the minutes of the proceedings of this Town Board, and be it further

RESOLVED, that the Town Clerk of the Town shall prepare and certify as provided by law, duplicate copies of the said annual budget hereby adopted, shall attach thereto an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008, and deliver one of such copies to the Supervisor of the Town, and that the Supervisor shall present such copy to the Board of Legislators of the County as required by law.

Supervisor Marinaccio stated all departments worked hard a most especially the Highway, department. Instead of going to the Highway department's surplus a loan will be taken out. Councilman Morabito reiterated it has to stop of us going to surplus.

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.

REMINDER SPECIAL MEETING NOVEMBER 24TH.

Supervisor Marinaccio reminded all of us of the special meeting regarding annexation of **932 Upper Front Street to Town of Chenango** that begins at 7:00PM and the Public Hearing is scheduled at 7:05PM. It was published in the Press on Friday, October 24, 2014, 30 days prior to the hearing. Surrounding residents were mailed a letter along with the meeting notice. A simple majority vote of affected property owners will be required and must be completed within 90 days after the public hearing.

RESOLUTION 2014-55

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilwoman Exley.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **declaring Marion Street parcel as surplus and authorizing transfer to Mr. & Mrs. Katusha. Permissive Referendum notice would need to be filed in the legal section of the newspaper within 10 days.**

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 attached.

RESOLUTION 2014-56

The following Resolution was offered by Councilman Morabito, who moved its adoption, seconded by Councilman Burns.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **renewal of Chenango water contract.** The water rate will be \$2.70 per cubic foot of water for 2015, a one year contract.

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 attached.

RESOLUTION 2014-57

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Burns.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **Adopting transitional duty and hazardous materials policies to employee handbook.**

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. Policies attached hereto and will be incorporated into Employee Handbook.

SENATOR LIBOUS \$50,000 GRANT

Supervisor Marinaccio has not received final word about the grant for three items.

PROSPECT TERRACE FIRE DEPARTMENT

Supervisor Marinaccio was contacted by Mark DeMario of the Volunteer PTFD that in the future he would be interested in doing a fire safety information session for residents sometime in early 2015.

BROOME VOLUNTEER EMERGENCY SQUAD REVIEW OF EBOLA

Supervisor Marinaccio has been contacted by Broome Volunteer Emergency squad to discuss with the board the Ebola virus and readiness if ever we have a case.

RESIDENT'S LETTER REGARDING WNBF RADIO SHOW

Supervisor Marinaccio received a letter from a **WNBF** radio listener of the Bob Joseph talk show. The resident's letter's content was regarding a recurrent caller who bashed the **Town of Dickinson** regarding the criminal activities occurring in hotels on **Old Front Street** here in our Town and how they should be shutdown due to illegal activities occurring in these establishments. Mr. Marinaccio reiterated the same at the Work Session; the BC Sheriff's department has received utmost cooperation from both hotel owners and the management of the hotel with many arrests being made. Mr. Marinaccio will get in touch with the resident.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

1. Public Works Commissioner Kie has been contacted by the **DOT** to see if we would be interested in a new lighting system in the Front Street area that would match the lights on the Bevier Street Bridge. The plans are to also install sidewalks all the way down Front Street into the City of Binghamton. Mr. Kie requested if **DOT** can continue the new lighting on up to Exit 5 and they stated they would consider it. Lighting is important for safety. The Town would be responsible for maintenance. It was mentioned the existing pedestrian bridge is still under consideration.
2. Mr. Miller of the water department has completed all Town water projects for the year under budget.
3. Mr. Kie stated this is the last week for yard water pickup and the leaves will be on going until they are all collected.
4. There are just a few road patching jobs to be finished up this week.

CHAIR

The 2015 meeting and holiday schedule was already submitted by the Clerk to the Board and will be reviewed next month.

COMMITTEE REPORTS:

MONTHLY FINANCIAL REPORT

Councilman Morabito made a motion to accept the **2014 Monthly Financial Report** for the month of September. On motion of Councilman Morabito and seconded by Councilman Burns. All in favor.

PLANNING & ZONING BOARD

Several Planning and Zoning Board members attended a seminar at the law office of Coughlin & Gerhart on Saturday, November 8th.

CODE ENFORCEMENT

The letter was mailed to the **9 Forest Hills** residents.

PUBLIC COMMENTS

Mr. Lux, the manager of the **Polish Community Centre**, expressed thanks for the installation of new curbs. The curbs near the handicap ramps will be corrected. Public Works Commissioner Kie has temporarily left the orange cones there until people get used to the new curbs. The 'No Parking' signs will be replaced.

Councilwoman Exley received a call from an upset resident regarding the cutting down of trees on **Lower Glenwood Road**, first and second house on the right, and that it extended onto her private property. Mr. Kie aware of the location stated it is not on her property but that her fence is over the property line. The **DOT** is preparing the land for the sound barriers scheduled to be installed in 2015.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 6:59 PM

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk