

March 17, 2014 – REGULAR MEETING

The Special 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, March 17, 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

Sharon M. Exley, Councilwoman

Stephen M. Gardner, Councilman

Also attending:

Oliver N. Blaise III, Esq., Town Attorney

Wanda R. Broczkowski, Town Clerk

Absent:

Thomas J. Burns, Councilman

CHAIR

In honor of our past Town Judge Annette Slocum who passed away on March 2, 2014, Supervisor Marinaccio requested everyone to join him in a moment of silence.

SUPERVISOR'S REPORT

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

- Supervisor Marinaccio does not have any updates on the relocation of the smoking at **SUNY Broome** campus other than the college administration will be presenting their new location plans to the college trustees.
- Mr. Marinaccio stated the **Color Run** scheduled for Sunday, April 6th, 2014 sold out at 5500 participants. He did reach out to GHS Credit Union on Front St. and they will allow the event to use their parking lot.
- The no tobacco signs for the park and playground area in **Sunrise Terrace Park** are completed and waiting to be picked up at the BC Health Department office on Front St.

- The **BC Association of Towns & Villages** meeting is now scheduled for Thursday, March 27, 6:30 pm at the **Holiday Inn - Arena**. Guest speakers are the owners of the hotel who want to build a casino on brown fields somewhere in the City of Binghamton. They will sponsor an open bar from 5:30 – 6:00 pm.
- Supervisor Marinaccio was re-elected Chairman of the BMTS Policy Committee last week. I am once again honored to serve in that capacity.
- Mr. Marinaccio was elected to the position of Vice-president of the BC Association of Towns at our last meeting. Terry Kellogg was elected as President, Jeff Kraham as Treasurer and Melodie Bowersox as Secretary. Our goal is present interesting speakers and agendas for membership throughout the year.
- Supervisor Marinaccio is still waiting for several news letter articles to be written. He has about 75% of the new letter completed.
- We recently met with a representative from our IT provider regarding the updating, and reconstruction of our web site. We should be seeing some progress in the near future. Wanda and Sue will do their best to post our past board meeting minutes on the web site. He continues to receive many emails through the web site regarding court, water/sewer issues, highway questions, dog control, etc.
- We now have the completed Appraisal for 48-52 Broad St., 47-49 N. Louisa and 150 Highland Ave.
- Mr. Marinaccio plans on attending a meeting held by the Industrial Development Agency on March 25, 7:45 am at Traditions.
- Both Supervisor Marinaccio and Joel, Ron Lake (Danny) will attend the next Flow Management Meeting on March 26, 5:30 pm, at the BU facilities Building.
- Mr. Marinaccio has been asked to participate in the Do you want to run for office event which will be held at SUNY-Broome on Saturday, March 29, 9 a.m.
- **NYSEG** warning letters-None received.
- Code violations – There were 6 code violations which included some of the following violations of property maintenance code & sanitation, bathroom fixtures on property, 2 weeks of garbage at curb couch at curb, TV at curb and various debris in yard and front porch.
- Dog Control Officer's report – Supervisor Marinaccio is in receipt of the Monthly Dog Control report submitted by Greg Starley. He has separated calls for the town and the village to simplify review. Strays, barking dog complaints, and missing dog were some of the issues reported on.

PUBLIC COMMENTS

Supervisor Marinaccio opened up the meeting for public comments, there were none.

APPROVAL OF MINUTES

On a motion by Councilman Gardner seconded by Councilman Morabito to approve the Work Session February 3, and Regular Meeting Minutes of February 10, 2014. All in favor. Vote -4 Ayes, Nays-0.

ABSTRACTS for Voucher #3 for 3/17/2014

Abstract Summary of Audited Vouchers for Funds respectively in the amount of \$399,255.24. On Motion from Councilwoman Exley, seconded by Councilman Gardner to approve. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

ATTORNEY

RESOLUTION 2014-13

The following Resolution to appoint Thomas R. Cline as Town Court Justice to fill the seat to be vacant by the resignation of Judge Gates, who accepted a position with the State of New York, was offered by Councilman Morabito, who moved its adoption, seconded by Councilwoman Exley, with the following discussion:

Mr. Blaise explained that Mr. Cline would have to run for election in November 2014 for a four year term.

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **Appoint Thomas R. Cline as Town Justice to replace Justice Gregory Gates effective April 1, 2014.**

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 – 4, Nays – 1.

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

RESOLUTION 2014-14

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution declaring a Negative environmental impact pursuant to SEQRA re “best value” purchasing local law.**

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 – 4, Nays – 0.

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

All in favor. A copy of the resolution is attached.

RESOLUTION 2014-15

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution authorizing adopting “best value” purchasing local law.**

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 – 4, Nays – 0.

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

All in favor. A copy of the local law is attached.

RESOLUTION 2014-16

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution authorizing approving of letter to BJCSTP requesting representative appointment for outside users.**

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 – 4, Nays – 0.

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

All in favor. A copy of the letter is attached.

RESOLUTION 2014-17

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution declaring a Negative environmental impact pursuant to SEQRA re zoning change from R2 to PUD-Microtel Hotel Project.**

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 – 4, Nays – 0.

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

All in favor. A copy of the resolution is attached.

RESOLUTION 2014-18

The following Resolution was offered by Councilman 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: **a resolution authorizing local law adopting zoning change from R2 to PUD-Microtel Hotel Project.**

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 – 4, Nays – 0.

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

All in favor. A copy of the local law is attached.

RESOLUTION 2014-19

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution authorizing to approve preliminary development plan approved by the planning board after PUD zone vote:**

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 – 4, Nays – 0.

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

All in favor.

RESOLUTION 2014-20

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **a resolution designating May 17, 2014 as Municipal Clean up day for the Town of Dickinson.** This will include limited number of tires, white goods and shredding. No hazardous waste or electronics will be. Residents must provide residency identification.

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 – 4, Nays – 0.

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

All in favor. A copy of the resolution is attached, and will also be forwarded to Broome County.

APPRAISAL REPORT

Attorney Blaise reported the five (5) N. Broad Street parcels the Town took over were appraised by Bob Congdon at \$1,500 (5 x \$300 per). The market value appraisal was \$90,000 for the Burke property prior to any work being done. Once the road work is completed the market value will be increase by \$43,000 to \$133,000. Ms. Burke will lose a small piece of property with the potential for it to increase considerably. Town Board is OK with it. Mr. Blaise will forward the appraisal to Ms. Burke's attorney for consideration.

PROSPECT TERRACE FIRE COMPANY (PTFC) TRUCK

Attorney Blaise met with Chief Jason Delanoy regarding the status of the Prospect Terrace Fire Company fire truck by. The old truck has been sold which will offset the price of the new truck. Councilman Morabito referred to the PTFC truck to clarify they are to bond on their own, and that the Town Board certifies the bond. A public hearing will be scheduled.

DISTURBANCE REPORT ON N. BROAD STREET

Attorney Blaise read over a communication from a resident complaining of one home on N. Broad Street with loud noise at 3:00am. The Town Clerk and Public Works Commissioner Kie instructed the resident to contact 911 when the disturbances are occurring to properly document the noise and issue a citation under the Town's noise local law.

CHAIR

PROJECT CONSTRUCTION MEETING

Supervisor Marinaccio reported he will attend a **DOT** meeting on March 28th at 10:00am regarding the I-86 project at the **DOT** building at the K-Mart Plaza. **DOT** will be opening up new bridges with demolishing the old bridges. He also reported that the numerous pot holes create a lot of damage to vehicles and causing accidents.

COMMITTEE REPORTS:

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

1. **Public Works Commissioner** Kie reported that due to a recent New York State law, trash haulers can no longer transport televisions and all small electronics to the Broome County landfill. The law is prohibiting all trash haulers from accepting them anymore to discourage electronics being mixed in with all trash. Councilman Morabito recommended since the haulers can no longer accept these items, this year we should include televisions at the town's May 17th Cleanup day. It should be noted there is a business that will accept electronics at the corner of Carroll and Court Streets.
2. Mr. Kie reported they have been keeping up with salting of roads and tending to water leaks.

PUBLIC COMMENTS

None

PLANNING & ZONING BOARD

The next Planning Board meeting will be Monday, March 24th at 6:00. The Microtel Hotel project will be on the agenda. Nothing new to report from the Zoning board.

CODE ENFORCEMENT

Code Enforcement Officer Rafferty did not have anything to report.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilwoman Exley at 6:45 PM

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk