

June 9, 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, June 9, 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

Absent:

Stephen M. Gardner, Councilman

CHAIR

Supervisor Marinaccio held a moment of silence for the passing of Officer Christopher Skinner, New York State Trooper who died while in the line of duty.

SUPERVISOR'S REPORT

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

- The next meeting of the **BC Association of Towns & Villages** scheduled for June 26th has been cancelled due to a conflict with another event. The speaker was to be Kevin McLaughlin, Executive Director of the BC Industrial Development Agency. BU President Harvey Stenger has agreed to be our guest speaker in September. Congressman Hanna will also speak at our meeting in the near future. Announcements will be forthcoming.
- The **Annual Cleanup Day** went very well according to our Public Works Commissioner Joel Kie.
- Mr. Marinaccio attended the 17th Annual Partnership for Excellence Recognition Event held at **BOCES** on June 4th. It was rewarding to see students from every school district in Broome County and Tioga County receiving their awards and scholarships in recognition of their hard work and dedication.
- Beginning next month, we will be on our summer meeting schedule. We will meet in July, August and September on the second Monday of those months and will be held at 5:30 PM combining our work sessions and regular meetings.

- Mr. Marinaccio received a message from the **Binghamton Water Works Dept.** requesting that we have a meeting with them to discuss increasing our water consumption with them. A meeting will be scheduled with them in the near future. Joel Kie, Dan Miller and Ron Lake will be invited to attend
- There will be a training/presentation on **Complete Streets**, designing streets for all users, presented by Mark Fenton on June 25th, sponsored by **BMTS**.
- In regard to partnering with the county and joining other municipalities in shared services for the **NY State** requirements in meeting their goals, which we are not set yet. Some questions are being asked if we do not meet the criteria will they not get credit. Probably not! The county stated due to the lack of information and guidelines from the state, they cannot answer that question.
- **BC Planning & Development Department** will be conducting a meeting on the comprehensive plan on June 18, 1:30 PM at the County building.
- Mr. Marinaccio received a request to allow a proclamation to be created on behalf of the Town of Dickinson to Mrs. Emilia Fudala. A honorary lunch on Sunday, June 22 at 2PM will be held at the Polish Community Center on Prospect St. She was recently honored in Cassino, Italy for her participation in the Battle of Monte Cassino. Serving the Polish Community Center over decades, being on the boards of the Kopernik Society and their Observatory. She has been a 27 year volunteer at the Roberson Museum. Mrs. Fudala is in her 90's and still continues to be a leader in our community. **Mrs. Emilia Fudala Day** will be honored here in the Town of Dickinson with Supervisor Marinaccio and Councilwoman Exley attending the luncheon.
- There will be a special joint meeting of the **Planning and Policy Committees**, Thursday, June 26th, 2014 8:30 AM – 10:00 AM, 18th floor, New York State Office Building. The topic will be **Complete Streets**.
- Public Works Commissioner Kie stated the sale for the **Microtel** project is set to close on the property on June 13th. Work schedule will be forth coming once the property is officially transferred.
- Mr. Marinaccio sent a letter to the **NY State DOT**, and directed it to **Jack Williams, Regional Director** for the **NY State Department of Transportation** regarding the installation of noise barriers request on Rt. 17 along the Sowden St. area. Jack has been very helpful in this endeavor and will do what he can to move this request forward in this area during the I-86 construction project.
- **NYSEG** warning letters-One received for 354 Prospect Street received a warning to discontinue utility service due to unpaid bill of \$1,369.06.
- Code violations – 11 Code violations of various degrees; three (3) of them on Pulaski St.
- Dog Control Officer's report – Supervisor Marinaccio received the monthly report for both the Village and our Town. 2 pit bulls have been running lose over the past few weeks. Owner identified an cited. Strays. No dog licenses. Neglect complaint. Serious dig bite. Dog put down after it attacked someone.

PUBLIC COMMENTS

Supervisor Marinaccio opened up the meeting for public comments. Mr. Love questioned are the closures during the I-86 project to be closed for ever. They eventually will reopen once the work is done. It's agreed it will be a nightmare but the state has made provisions to work around it.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley seconded by Councilman Burns to approve the Work Session May 5, and Regular Meeting Minutes of May 12, 2014. All in favor. Vote -4 Ayes, Nays-0.

ABSTRACTS for Voucher #6 for 6/9/2014

Abstract Summary of Audited Vouchers for Funds respectively in the amount of \$273,568.08. On Motion from Councilman Morabito, seconded by Councilwoman Exley to approve. Vote Ayes – 4, Nays – 0.

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

Unanimously passed and noted as duly adopted.

ATTORNEY

RESOLUTION 2014-34

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **Board approving water utility truck purchase bid award purchase goes to All American Ford in the amount of \$37,200.00.**

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 Aye
- Councilwoman Exley voting Aye
- Councilman Gardner voting Absent

All in favor.

RESOLUTION 2014-35

The following Resolution was offered by Councilman Morabito, 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: **board approving Glenwood Road materials bid award to HD Waterworks Supply in the amount of \$85,911.60.**

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 Aye
Councilwoman Exley voting Aye
Councilman Gardner voting Absent

All in favor.

RESOLUTION 2014-36

The following Resolution was offered by Councilman Burns, 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: **Elimination of Village of Port Dickinson registrar identification number.**

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 Aye
Councilwoman Exley voting Aye
Councilman Gardner voting Absent

All in favor. Resolution attached.

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

Regarding the Town Board approving a resolution to participate in the Broome-Tioga Storm Water Coalition for Federal Phase II MS4 Storm water implementation in Broome and Tioga Counties, the Town's participation was on hold until the Coalition provides additional information about how the money allocated by the Town will be spent. Mr. Lake (Town Engineer) is to look into this and report back to the Board.

BURKE AGREEMENT OF PROPERTY FOR EXTENSION OF PHELPS STREET

Attorney Blaise read a draft letter to be sent by the Assessor, Jack Cahill, to Ms. Burke's attorney regarding the agreement of her donating a portion of her parcel at 150 Highland Avenue, Tax Map No. 129.69-1-1, for the proposed extension of **Phelps Street** to connect in with Rogers Mountain Way. Attorney Blaise only made a slight revision, nothing substantive and it was approved by the board to be sent, stating that Mrs. Burke's donation of property will not increase her assessment while the property is undeveloped. As agreed at a previous Board meeting, the Town will not take the property by easement; we will actually take ownership of the property so it will reduce the area that she owns. If she put a development in play in the future, the assessment would increase. A copy of the letter is on file with the Town Clerk's office.

RESOLUTION 2014-37

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: **Proclamation to declare June 22, 2014 as Mrs. Emilia Fudala Day and be honored here in the Town of Dickinson.**

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 Aye
Councilwoman Exley voting Aye
Councilman Gardner voting absent

All in favor.

213 BEVIER STREET SALE OF PROPERTY

Attorney Blaise requested an update by Councilman Burns, who contacted **Robert Terpack** about his interest in purchasing 213 Bevier Street and his offer note submitted in February 2014. Mr. Ronald Brown's son vowed to relay a message to his father, who never contacted Mr. Burns. Mr. Terpack would need to pay all fees and closing costs. It was decided by the board to accept **Mr. Terpack's \$2,000 offer** and he needs to understand all fees and closing costs are his responsibility. A resolution will be drawn up to declare the parcel as surplus property with a public hearing at the July meeting. Mr. Burns will contact Mr. Terpack and invite him to the meeting.

RESOLUTION 2014-38

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

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows: **Declaring the property of 213 Bevier Street as surplus scheduling a public hearing on Monday, July 14, 2014 at 5:30PM to declare the sale.**

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 Aye
Councilwoman Exley voting Aye
Councilman Gardner voting Absent

All in favor.

CHAIR

RIDE SHARE PROGRAM

Supervisor Marinaccio pass along transportation information about the benefits and safety of the Broome and Tioga County local **Ride Share Program** introduced in our community.

MS4

Ron Lake, **MS4** engineering services proposal June 1st. Mr. Lake will submit it to the Town Clerk.

On a motion by Councilman Morabito seconded by Councilwoman Exley to approve the contract that covers his services from June 1st 2014 to May 31st, 2015 in the amount of \$9,000.00. All in favor. Vote -4 Ayes, Nays-0

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

All in favor.

DOT RE-STRIPING OLD FRONT STREET AND FRONT STREET

Supervisor Marinaccio received a print from the DOT of the restriping project of Old Front Street and up to the Highway. It includes introducing lanes at the off ramps for a right hand turn and left turn. This is part of the I-86 Project.

MONTHLY FINANCIAL REPORTS

Councilman Morabito made a motion to accept the 2014 Monthly Financial Report(s) for the months of January, February, March and April. On motion of Councilman Morabito and seconded by Councilwoman Exley. All in favor.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

1. Public Works Commissioner Kie and Mr. Miller of the Water Department reported the Glenwood Road Water project will commence on Thursday, June 12 and should be completed in 6 weeks and will include a lane closure.
2. Mayor Burke of the **Village of Port Dickinson** is happy with the shared brush pick-up arrangement.
3. Mr. Kie stated the light pole at Exit 5 off ramp got smacked at the corner for the 3rd time and it will not be replaced.
4. An email from the Town of Thompson was received. The **EPA** is to redo the 'Clean Water Act' and up their recommendation a resolution would be in order as the state is not in favor of it. It could allow the **EPA** to take control of miniscule water sources like streams up in remote areas.
5. **Rogers Mt. and Phelps Street**. Mr. Kie suggests starting the project now under the 2014 budget with preliminary work to reduce or strain the project in 2015.
6. We will consider the old Water Utility truck as surplus along with the leaf truck and an old mower so they might be sold at auction.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

7. Mr. Kie extended a ‘Thank You’ to Danny Miller for cleaning out the catch basins.
8. **Northwestern Mutual** previous building owner is hiring a guy to mow the grass. Mr. Wasser, Chair of the Planning Board requested we take photos of the current structure and then after the **Microtel** is completed for historical purposes. All houses are vacant and preparing for demolition. Public Works Commissioner Kie will notify the **PTFC** they are now vacant. Also the **PTFC** is going to use part of this site as a fire training area.
9. Mr. Miller of the Water Department stated the quality water reports are now on the web-site.
10. Mr. Kie conveyed resident complaints of late night activities at the **Sunrise Terrace Park** basketball court as late as 1:30AM. The basketball court is considered private property. It was recommended a sign be posted at the park entrance that it is closed after 10:00PM or 1 hour after dusk.

CHAIR

RESOLUTION 2014-39

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: **Declaring the three (3) pieces of highway equipment as surplus, namely the old water utility truck, the leaf truck and a mower for sale at an online auction.**

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 Aye
Councilwoman Exley voting Aye
Councilman Gardner voting Absent

All in favor.

COMMITTEE REPORTS:

PLANNING & ZONING BOARD

Planning Board is presently working on the **Comprehensive Plan**.
Zoning Board received a variance request for a setback.

CODE ENFORCEMENT

None.

PUBLIC COMMENTS

There were none.

The meeting was adjourned on motion of Councilman Morabito and seconded by
Councilman Burns at 6:55 PM

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk