

November 3, 2014 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, November 3, 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

Absent:

Susan M. Cerretani, Deputy Town Clerk

CHAIR

Supervisor Marinaccio called a Special Meeting to order promptly at 5:30PM to reschedule two (2) public hearing to the regular meeting on November 10, 2014. These public hearings were to take place at tonight's work session, but the public hearing notices were not timely published in the Press & Sun Bulletin, the Town's official newspaper. The Supervisor called a brief special meeting pursuant to Town Law § 62 to take place before tonight's work session for the sole purpose of rescheduling the public hearings to next week's regular meeting. The Supervisor's notice in that regard is attached to these minutes

On a motion by Councilman Morabito seconded by Councilman Morabito **to approve 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** be rescheduled for the Regular meeting Monday, November 10th, 2014 at 6:00 PM. All in favor. Vote -5 Ayes, Nays-0.

On a motion by Councilman Gardner seconded by Councilwoman Exley **to approve the preliminary budget of the Town of Dickinson for the fiscal year beginning January 1, 2015 which has been completed and filed in the office of the Town Clerk of the Town, Dickinson Town Hall where it is available for inspection by any interested citizen during office hours** be rescheduled for the Regular meeting Monday, November 10th, 2014 at 6:05 PM. All in favor. Vote -5 Ayes, Nays-0.

Supervisor Marinaccio closed the Special Meeting On a motion by Councilman Morabito seconded by Councilwoman Exley at 5:35 PM. All in favor. Vote -5 Ayes, Nays-0.

The Supervisor then opened the work session.

ATTORNEY

REVISIONS TO EMPLOYEE HANDBOOK

Attorney Blaise has been working on the updates with **Public Works Commissioner Kie**, which include a light duty policy for employees on restricted duty and additionally formalizing the procedure for hazardous materials handling in certain situations.

SALE OF 213 BEVIER STREET

Attorney Blaise reported the check was received and processed from **Robert Terpack** for his purchase of **217 Bevier Street** from the Town. The Town plans to keep track of the property to ensure no future violations will cause any detriment the properties. Mr. Terpack is now the new owner of **213 Bevier Street**.

PHELPS STREET BURKE EXTENSION

No new communications on this topic as Ms. Burke has been traveling again. Attorney Blaise continues to pursue the transfer of the property and his partner continues handling this matter with Ms. Burke's attorney.

TOWN BOUNDARY TO TRANSFER 932 UPPER FRONT STREET TO TOWN OF CHENANGO WITH JOINT PUBLIC MEETING AND HEARING NOVEMBER 24TH 7:00 PM AT TOWN OF CHENANGO TOWN HALL

Attorney Blaise stated the joint meeting with the Town of Chenango will be held on Monday, November 24th as a joint meeting at 7:00 with the public hearing to begin at 7:05 PM at the **Town of Chenango Town Hall**. The annexation would be the only purpose and item on the agenda. Special invitations have already been mailed to neighboring property owners. Mr. Blaise will prepare an outline of how the meeting will transpire.

CODE ENFORCEMENT ISSUES AT 9 FOREST HILLS BOULEVARD

Mr. Blaise stated that **Code Enforcement Officer Rafferty** sent a point by point letter to Mr. & Mrs. Steven Yajko and Jennifer M. Yajko, the property owners of **9 Forest Hills Boulevard** related to the results of the onsite inspection of the abandoned property. During a lengthy discussion, it was reported the mortgage company has been paying the school and property taxes, which is not uncommon in these situations. Attorney Blaise sent the mortgage company a notice about the issues at the property.

The Town looks forward for the Yajkos or their mortgage company to contact the **Town** before the spring of 2015. They were made aware next year the **Town Board** will determine if there is sufficient cause to schedule a public hearing to declare the building unsafe and order its possible demolition.

RENEWAL OF WATER AGREEMENT WITH TOWN OF CHENANGO AND CITY OF BINGHAMTON OPTION

Supervisor Marinaccio stated we are still interested in the option of buying **City of Binghamton** water. The **Town** will continue negotiations with the **City of Binghamton**. Another resolution will need to be passed for an agreement with the **City of Binghamton** at a rate of \$4.00. Councilman Morabito felt we should guarantee we get a contract for several years at this rate.

In the interim we will agree to a one (1) year contract with **Town of Chenango** for \$2.57 with an increase to \$2.70. A resolution will be passed next week for the one year contract beginning January 2015 through December 2015.

MARION STREET PROPERTY TRANSFER

Attorney Blaise spoke with Mr. and Mrs. Katusha's son. They are agreeable with the town's position on removal of tree stumps and cleanup as a result of the tree removal on the **Marion Street** property. A resolution is needed to declare the property as surplus to then transfer and deed the property for \$1.00. The Katusha's will need to pay all closing fees.

COMBINE TOWN AND VILLAGE REGISTRAR OFFICES WITH TOWN CLERK

Attorney Blaise will follow-up with the **Broome County Attorney** on the status to eliminate the **0320 District Number, Port Dickinson** and check with the County attorney to see if it has been acted on yet.

CHAIR

SUNY BROOME SMOKING ON GOING COMPLAINTS

Supervisor Marinaccio noted the college erected two huts for the campus smokers.

NOISE BARRIERS

Supervisor Marinaccio announced there will be two (2) **DOT** public informational sessions regarding the **Interstate 86** construction plan to install noise barriers along several streets in the Town. The affected residents would include those who live on **Sowden St., Bellaire Avenue and Adams Street**. Mr. Marinaccio intends to attend both sessions and encourages the board to attend at least one of these sessions.

Wednesday, November 5, 2014 at 6:30 PM
Theodore Roosevelt School
9 Ogden Street
Binghamton, NY 13901

Thursday, November 6, 2014 at 6:30 PM
Woodrow Wilson Elementary School
287 Prospect Street
Binghamton, NY 13905

NOISE BARRIERS (Continued)

The **DOT** is appealing to those residents most affected to vote on the sound barriers as 50% of the residents must agree before they are installed. Since **Sowden Street** has many rental properties, Mr. Rafferty of **Code Enforcement** acknowledged the homeowners should be sent a letter. On such short notice it was decided to inform them by means of a flyer to those properties door steps to get the word out. Several studies over the years proved the decibel levels on **Sowden Street** were exceptionally high and now after almost two decades, this request looks to be satisfied.

SENATOR LIBOUS GRANT

Supervisor Marinaccio is working with Senator Libous's office in relation to the \$50,000 public works grant. Quotes need to be submitted for the boiler system, automatic handicap doors openers and the retaining wall before the deadline.

PORT DICKINSON PUBLIC WORKS CONSOLIDATION TALKS

Supervisor Marinaccio stated officials from both the **Town** and **Village of Port Dickinson** are to meet at the Town Hall on Tuesday, November 4th regarding the town's potential takeover of the village's **Public Works Department**. We have already crunched the numbers. Their budget is not as detailed as ours and we need to make sure there will not be a negative impact to the **Town of Dickinson**.

Mr. Marinaccio also informed us the **Village Newsletter** has already published that it looks to merge their **Public Works Department** with the **Town of Dickinson Public Works Department**. The Town Board expressed concern in regards to consolidation without proper investigation.

CMOM WORK

Supervisor Marinaccio reports the cleaning of sewers had been ongoing at the Village and Chenango Shores the past two weeks.

ASSOCIATION OF TOWNS MEETING

Supervisor Marinaccio confirmed the next meeting will be held November 20th at The Spot Restaurant. Nominations for the 2015 slate of officers will be brought forward.

RESIDENT'S LETTER REGARDING WBNF RADIO SHOW

Supervisor Marinaccio received a letter from Mr. Reister, a **WBNF** radio listener of the Bob Joseph talk show. The resident's letter's content was regarding a recent caller who bashed the **Town of Dickinson** regarding the criminal activities occurring in hotels on **Old Front Street** and how they should be shutdown due to illegal activities occurring in these establishments. Since Mr. Marinaccio could not obtain a phone line to speak on the matter, he ended up sending an Email to affirm there are no plans to shut these hotels down. The Sheriff's department has received utmost cooperation from both hotel owners and the management of the hotel with many arrests being made. He hopes the moderator will pass on his remarks.

PUBLIC WORKS

1. Mr. Miller reported they will see a new sewer pump voucher for an emergency repair on a damaged sewer pump during the **SUNY Broome** dorm construction. It was the liability of the college. The insurance company prorated the claim amount due to depreciation with a settlement for \$9,700. of the \$14,000.
2. Mr. Miller of the water department reported and repaired a small water leak in Sunrise Terrace.
3. Mr. Kie stated during the **CMOM** sewer cleaning in the **Chenango Shores** area, they were impressed with the cleanliness and condition of the sewer pipes. Several of the **Village of Port Dickinson** lines were plugged.
4. **Public Works Commissioner Kie** had no update on the digging going on at **BOCES** on **Glenwood Road** and will report on it next week at the regular meeting.

CODE

None.

ASSESSOR

None.

PLANNING AND ZONING BOARDS

Nothing new at this time.

PUBLIC COMMENTS

None.

On motion by Supervisor Marinaccio, the work session was adjourned by motion from Councilman Morabito and seconded by Councilman Burns at 6:23 PM.

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk