

## February 3, 2014 – WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:31 PM on Monday, February 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

### ATTORNEY

### PUBLIC HEARING FOR BAN UP TO \$750,000

Attorney Blaise reported the public hearing will be held on 2/10/2014 at 6:00 PM.

### 34 & 36 N. BROOME STREET RESIDENT SALE OF PROPERTY

Attorney Blaise's partner at **Coughlin & Gerhart LLP** is working with the Fosters to finalize the closing for the property. The couple is purchasing the property with another couple and they may be building a rental on the property. Attorney Blaise will keep us apprised as they work through the process.

### 213 BEVIER STREET STATUS

Attorney Blaise reported after posting a for sale sign, there was one (1) written offer for the property. Councilman Gardner recommends we place a legal ad in the Press and Sun Bulletin come April with the hope of attracting additional offers.

### EXTENSION OF PHELPS STREET SURVEY PROPOSAL BY CONGDON & COMPANY, INC. FOR \$5K

Public Works Commissioner Kie received the official proposal for a **Real Estate Appraisal from Congdon & Company, Inc.** for a price of \$5,000. The appraisal quote outlined the 38 acres owned by Ms. Burke be appraised two (2) ways: current value of the 38 acres not improved by the building of the roadway and future value improved with the road way access. Also included for appraisal are several properties on North Broad Street that are being foreclosed by the County and transferred to the Town. Attorney Blaise directed Mr. Kie contact Bob Congdon to authorize he begins the appraisal of the properties following formal approval by the Board at the regular meeting next week.

## **20 LINDA DRIVE RIGHT-OF-WAY**

Attorney Blaise stated Joshua Graupman, the land owner, sent a formal letter to the town board detailing his intent to build a home regarding the **20 Linda Drive parcel**. Mr. Blaise's office is working with this proposal. Public Works Commissioner Kie ensured the board there would be enough room to turn the snow plows around.

## **BEST VALUE LOCAL LAW FOR COMPETITIVE BIDDING**

Attorney Blaise inquired if the board desires to pass the "best value" purchasing local law, which allows the Town discretion to select competitive bids that are not the lowest responsible bids if they have verifiable benefit to the Town. After discussion it was agreed to move forward and this will be placed on the agenda to pass a resolution to incorporate this local law.

## **WATER SYSTEM CONNECTION REQUIREMENTS**

We have performed our due diligence and researched this with the **Broome County Health Department** and the **State Building Code** that connections to the municipal **Water System** are required as investigated by Mr. Blaise's legal associate. A resident cannot be disconnected from the Town water service in favor of hooking up to their own well.

## **SUPER 8 MOTEL FOR SALE**

At this time, Supervisor Marinaccio noted this property is for sale. Our concern about the property is they owed back water bills which were levied to taxes for over \$40,000. We will investigate if the property taxes are paid to date or are they in arrears. If delinquent the Town may want to act before the property goes into foreclosure, as the past due water bills could be wiped out. Attorney Blaise stated that it would be up to a purchaser's due diligence to ensure the new property owners are not blindsided with delinquencies. Last year alone over the whole town \$140,000 was re-levied to taxes in 2013. The board will continue to monitor commercial delinquencies to determine if we will go after these monies before they go to taxes.

A discussion then ensued on neglected and vacant properties that eventually could end up in delinquencies or demolition due to code enforcement issues.

## **DELINQUENT WATER BILLS**

Supervisor Marinaccio led us into a discussion about what to do about any and all delinquent water accounts in the Town. Public Works Commissioner Kie reported there is a pattern where properties with water accounts in arrears become neglected and abandoned falling in on themselves, and eventually are condemned. Mr. Kie will provide a list of such properties for the next regular meeting, February the 10<sup>th</sup>.

**PROSPECT TERRACE FIRE COMPANY FIRE TRUCK PURCHASE  
RESOLUTION TO HOLD A PUBLIC HEARING**

The **Prospect Terrace Fire Company** needs our assistance to line up their financing to purchase and replace the aerial lift truck. The process is for them to go to the bank for a loan, acquiring a bond for the fire company and to hold a public hearing. The Town needs to pass a resolution undersigning the purchase to permit the fire company to obtain tax exempt status on the purchase. The truck would be available as soon as June, 2014.

**BINGHAMTON JOHNSON CITY JOINT SEWAGE TREATMENT (BJCJST)  
REPORT**

Danny Miller of the Water Department received from **BJCJST**, a detailed reporting form at the end of 2013 requiring it be completed by March 15, 2015. Initially it will require a lot of time to go through the first time around but once it is done it will not require as much time next time. Mr. Blaise recommended that a resolution be passed to adopt the new reporting form. Engineer for the Town, Ron Lake, offered assistance as needed.

**CHAIR**

**ANTI-SMOKING SIGNS FOR THE SUNRISE TERRACE PARK**

Supervisor Marinaccio requested the board comment on the sample no smoking tobacco free signs which include chewing tobacco. All of the board was in favor. 5 of each sign will be ordered for **Sunrise Terrace Community Association** and **Sunrise Terrace Park**.

**SUNY BROOME COLOR RUN CONFIRMED**

Supervisor Marinaccio confirmed that the **Color Run** will take place April 6<sup>th</sup> on the SUNY Broome campus. To date 3,000 people have signed up. Mr. Marinaccio is working with Sheriff Harder about the permit process which included a print of the path of the run for the **Department of Transportation (DOT)**.

**NEW YORK STATE DEPARTMENT OF CONSERVATION CMOM**

Supervisor Marinaccio received word from the State regarding the good work the Engineer for the Town, Ron Lake, has done on CMOM.

**JUDGE GATES RESIGNATION EFFECTIVE MARCH 31<sup>ST</sup>, 2014**

Supervisor Marinaccio announced Justice for the Town Court Gregory Gates will begin a new position with the State of New York on April 1<sup>st</sup>. The board will need to appoint someone to replace him.

**EMERGENCY SERVICES & SHARED SERVICES**

Supervisor Marinaccio received a phone call from the **Town of Chenango Supervisor** to get involved in a discussion regarding emergency call services to all the residents to sign-up for these alerts via landline phone or cell phone. Also, Supervisor Marinaccio commented that Chenango is interested in other shared services which would tie in with Governor Cuomo's proposed tax freeze. Mr. Kie stated that at least once a week basis we work already work together with other municipalities, we just need to document our shared work.

### **APPOINT COUNCILMAN DANNY MORABITO FINANCE CHAIR**

Supervisor Marinaccio appointed Councilman Morabito as **finance chair** to be effective immediately as the the point of contact to Beverly Wike regarding invoices that are exceptional and in need of review. Danny will provide any counsel to Beverly Wike and give her any assistance or investigate them.

### **PLANNING BOARD**

Supervisor Marinaccio stated 5 residents and 2 people from the fire department were present with questions focusing on the fencing at the recent Planning Board meeting for the **Microtel** project. Broome County did reply regarding the **239 Review** and the Zoning request change from **R2 to PUD** with no major issues. Approval for the project would be required by the Board following a public hearing scheduled for March 3<sup>rd</sup> and the regular meeting on March 10<sup>th</sup>. Attorney Blaise is aware that **Hurlbert Engineering** is anxious to get the project approved. He made them understand the Town cannot do anything further until we hear back from the County. Planning Board Chair, David Wasser kept everyone on track and over-all it was a positive meeting.

### **CASINO SUPPORT FOR BROOME COUNTY**

Supervisor Marinaccio is recommending the board consider passing a resolution in support of the developer's proposed site for a casino in Broome County. He felt it is an endorsement for much needed revenue to the County. Many in the southern tier have reservations of traffic issues at the proposed Traditions site. The highway intersection approaching Wegman's grocery store on Harry L. Drive already has traffic flow issues but the commentary was that traffic should be addressed during the planning process. The proposal was endorsed by the **Broome County Chamber of Commerce** and should stimulate other development in the area.

### **2014 NEWSLETTER**

Supervisor Marinaccio stated articles have already been submitted for the Town newsletter which will be issued the first of April. Forward all articles to Councilman Morabito who is the chair. Articles due Friday, February 28<sup>th</sup>.

### **WATER PROJECTS FUNDING**

A lengthy discussion was had regarding the proposed bond and upcoming public hearing to be held on February 10<sup>th</sup> for approval of up to \$750,000.00. Also it concentrated on neglected and delinquent water accounts with the necessity to collect on them when they are issued in order to cover everyday costs, operations and repairs.

Supervisor Marinaccio deferred to Beverly Wike, who manages our financing and budget processes. Ms. Wike presented her analysis of the water project for the recently installed water tank off of **Old State Road** and reported back on her research after contacting several banks to see about interest rates for a loan between \$500,000 and \$600,000. The 1<sup>st</sup> payment would be due in 2015, renewable every year. The loans are no fixed amount, no guarantee on rates renewable every year. She is awaiting a call back from our bond attorney Bob Smith in New York City.

We have aging water lines in need of replacement and repair. Councilman Morabito asked, “Where would we get the money to pay for any emergency repair?” Ms. Wike recommended we set up a **Capital Improvement Fund** to include a \$10.00 fee to the quarterly water bills generating \$46,000 per year. At this time, Councilman Morabito recommended we provide an analysis on what we owe today with our current expenses, projected income and infusion derived from the BAN.

Danny Miller of the water department suggests a letter be sent to the **SUPER 8 Motel Corporate Offices** to convey that their franchise owner’s water bills are in arrears. In addition, since the Town has a considerable amount of back water bill accounts not paid and have gone to taxes; it was requested Ms. Wike report and include a breakdown between residential and commercial accounts in arrears over the past 5 years by the next regular meeting on February 10<sup>th</sup>. It is important to recognize the Town really needs this money to maintain our Town water infrastructure.

## **PUBLIC WORKS**

1. Public Works Commissioner Kie reported a cast iron water pipe broke on Forrest Hills Blvd. The Town worked together with Town of Chenango.
2. Mr. Kie stated Mr. Ruffo of Market Street has some concerns to convey to the board.

## **CODE**

Mr. Rafferty has two (2) Permit requests for solar panel installation. **Cornell Co-Op Extension** on 840 Front Street and the **Cline** residence on Jameson Road.

## **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 7:02 PM.

Respectfully submitted,

Wanda R. Broczkowski  
Town Clerk