

March 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, March 3, 2014 in the Town Hall, 531 Old Front St., Binghamton, NY.

The members of the Town Board present were:

Michael A. Marinaccio, Supervisor

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: Danny F. Morabito, Councilman

CHAIR

PUBLIC HEARING(S) OPENED

LOCAL LAW REGARDING “BEST VALUE” PURCHASING

The public hearing was opened at 5:32PM by Supervisor Marinaccio regarding a Local Law pertaining to “best value” purchasing policy. Attorney Blaise explained the law should allow additional latitude the Town considers competitive bids The Town could choose other than the lowest bidder if it could quantify that another bidder additional value or specialized equipment to perform the service. For example, the next to the lowest bidder had a service department such as a local supplier to do the work quicker because they are local not requiring the contractor or even the Town traveling long distances to have the service performed. Best value purchasing is allowed under state law. Since there were no questions, Supervisor Marinaccio closed the public hearing at 5:35pm.

ZONING CHANGE FROM R2 TO PUD ON PROSPECT AND ADAMS STREETS FOR -MICROTEL PROJECT

The public hearing was opened at 5:35PM by Supervisor Marinaccio regarding a zoning change from R2 to **PUD** on Prospect and Adams Streets for the proposed Microtel project. Attorney Blaise explained the variance for the project was granted by the zoning board in January 2014. The county had no issue with the request only recommending a few minor suggestions. This area is currently a Residential-2. During the Planning Board session the Prospect Terrace Fire Department and residents only raised minor issues.

Mr. Blaise gave a review of PUD (Planned Unit Development) which gives the Planning Board and Town more control over development.

The public hearing was opened up to public comments. Mr. Love was curious why PUD or not RM or Commercial zone was recommended? Mr. Blaise and Mr. Marinaccio explained that the PUD designation afforded more latitude to the Town and developer about the project. Definitions and restrictions could be tailored to the project, as opposed to the predetermined restrictions for an established zone. After a discussion Mr. Love stated he does not have any issues with this project. At this time, Mr. Lake, also expounded on the benefits of PUD can allow the planning board to work with them and to put on different requirements, more ‘stringent’ screening requirements.

The **PTFC (Prospect Terrace Fire Company)** had no concerns and was in favor of the project and it would be a major improvement over what is currently there. Councilman Burns inquired how far down does this PUD zone affect? It is only 2 lots on Adams Street. Supervisor Marinaccio closed the public hearing at 5:54pm.

JUDGE SLOCUM PASSED AWAY

Supervisor Marinaccio informed us that Judge Annette Slocum passed away after a long illness on Sunday morning. A moment of silence will be held at the next meeting.

ATTORNEY

SALE OF 34 & 36 N. BROOME STREET

Attorney Blaise’s stated the property should close any day, handled by his partner Kristen Luce at **Coughlin & Gerhart LLP**.

SALE OF 213 BEVIER STREET

Attorney Blaise stated no additional offers were received by the Town since the hand written note. We will place a legal ad in the Press and Sun Bulletin come April with the hope of attracting further offers.

20 LINDA DRIVE RIGHT-OF-WAY

Attorney Blaise reviewed the situation in regards to the Town waiving the right of way for the **20 Linda Drive parcel**. As it turns out after Mr. Blaise’s office partner reviewed the parcel, the Town has no right-of-way and it appears to only be a paper street at issue. Instead, the adjoining properties have right-of-way and not the Town on this paper street. The owner, Mr. Graupman, would need the approval of the two neighbors who are in the Right-of- way situation and must negotiate with those two residents. Our only issue is the Towns ability to turn around for plowing and any road work. As previously stated, **Public Works Commissioner Kie** ensured the board there would be enough room to turn the snow plows around this area which is a paper street, only a dirt road. The matter is now closed and up to Mr. Graupman to confer with his neighbors.

PROSPECT TERRACE FIRE COMPANY TRUCK PURCHASE

Attorney Blaise reviewed the status for the **Prospect Terrace Fire Company** to order a new truck. The old truck has been sold and Chief Jason Delanoy of **PTFC** stated delivery of the new truck is expected in May. Mr. Blaise explained the process of a bond being issued by the fire company for the new truck. Attorney Blaise will contact Mr. Delanoy in the next week.

EASEMENTS FOR GLENWOOD ROAD SPRING WATERLINE PROJECT

Attorney Blaise reported back regarding the need for easements to be able to proceed with the Glenwood Road waterline project. Easements from **Broome Developmental** are required and Mr. Marchuska may own some of the parcels. We are obtaining licenses to get the work done.

Regarding this project, Supervisor Marinaccio stated per Senator Charles Schumer that there is some funding available as it is related to **Economic Development** to possibly to get us some monetary help. Hopefully this could assist us regarding the Phelps Street property project as well. Grant assist will be per Engineer for the Town Ron Lake.

PROPOSED LETTER REQUESTING REPRESENTATION FOR OUTSIDE USERS ON BJCSTP BOARD

Attorney Blaise reviewed the proposal of appointing a representative from the Town as a point of contact on the BJCSTP Board. Towns such as Kirkwood, Conklin and others are following suit. We would need to send a letter to appoint person. Supervisor Marinaccio was explaining the outsider users have no representation at the plant. This is a good idea; the board will pass a resolution next week of 3/10/2014.

CHAIR

SUNY BROOME SMOKING BAN

Supervisor Marinaccio received a communication from **Debby Morello a Vice President of SUNY Broome College**. The Town has been working with the **SUNY Broome College** to resolve this problem coming up on 3 years. The college board of trustees is going to meet soon and considering a resolution to the problem. The Town Board is anxious to hear what their recommendation is.

SUNY BROOME COLOR RUN CONFIRMED

Supervisor Marinaccio confirmed the **5K Color Run** scheduled at 9:00am, April 6th on the **SUNY Broome College** campus has sold out at 5,500 participants. The question today is where will the 1,000 additional participants, coordinators and Volunteers Park? Right now they already have approached ARC, Northgate Plaza and Cornell Cooperative Extension to park on their properties.

CONSIDERATION OF WATER RATE INCREASE OR CAPITAL IMPROVEMENT

A discussion was had regarding increasing the water rates in lieu of the proposed **Capital Improvement Fund** charge introduced at the February 10th meeting. **Capital Improvement** would eventually go away once the amount needed for repairs was met. Once a water rate is increased most likely it will not revert back. Supervisor Marinaccio felt the water rate could be reduced or be lowered. Attorney Blaise brought up case in point of the Town of Kirkwood's water benefit assessment schedule being complicated so they now are exploring ways to make their process simpler. The Engineer for the Town Lake reiterated to remove the **Capital Improvement** fee once the town reaches the required goal to cover the necessary repairs. No matter what, we owe it to the residents that it must be done, with safety in mind. If it is accomplished by bonding it would be for a period of 6 (six) years, spreading the burden. Many repairs have been made and more need to be taken care of in the future. The Town of Dickinson Water Department is hurting for funds.

BMTS MEETING

Supervisor Marinaccio will attend the March 5th BMTS (**Broome Municipal Transportation Services**) meeting at the Broome County office building.

PUBLIC WORKS

Public Works Commissioner Kie reported nothing new at this time.

CODE

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 6:33 PM.

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk