

May 5, 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, May 5, 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**

CHAIR

Opened the (3) Public Hearings portion of the meeting.

PROSPECT TERRACE FIRE COMPANY (PTFC) BORROWING FOR NEW TRUCK PURCHASE

The public hearing was opened at 5:30PM by Supervisor Marinaccio regarding the **Prospect Terrace Fire Company** truck purchase. Attorney Blaise explained the fire company would qualify for a municipal borrowing rate as the vehicle being purchased is for public use. The 1999 prior vehicle has been sold providing cash towards the purchase of the new truck.

At this time, Supervisor Marinaccio opened the public hearing for public comment. Resident Jim Love directed his question to fire chief Jason Delanoy and he wondered if there were any other apparatus to be replaced over the next two or three years? Yes the ladder truck would probably need to be replaced by then and this BOND would then be paid off. The drawings for the new truck are available at the fire house for review. The new 'red' truck will arrive late June. During the dedication of the new vehicle, the fire house will be open for interested residents to look over the new truck and take a tour of the fire house. Supervisor Marinaccio stated a resolution will be passed during the regular meeting on May 12th. Attorney Blaise stated the resolution is required for **Prospect Terrace Fire Company** truck purchase and qualifying them for the bank loan. With no more comments or questions, Mr. Marinaccio closed the hearing at 5:36 PM.

FOR LOCAL LAW IMPLEMENTING WATER SERVICE CAPITAL IMPROVEMENT CHARGE

The public hearing was opened at 5:36 PM by Supervisor Marinaccio regarding a Local Law to implement water capital improvement charge. Mr. Marinaccio explained the water rates will remain the same. The need to implement such a fee is because the town is running out of funds for capital improvements in the water district. Safety and health reasons are why we need to repair the Glenwood Road waterline for \$350K. At this time Supervisor Marinaccio read the tier rate schedule which appeared in the legal section of the April 30th edition of the Press & Sun Bulletin:

Regarding a revision to section Article I of section 557 of the Dickinson Town Code entitled “Water: Rules & Regulations.” More specifically, section 557-7, entitled “Schedule of Water Rates,” shall be amended to add a new subsection (C), which reads as follows:

C. Commencing with the next billing after adoption by the Town Board of the schedule set forth below, there shall be imposed a fee for all premises served by public water supply and having an approved water meter installed and operational. Said fee shall be charged based upon the estimated or actual meter consumption of water, and shall be collected until any bonds issued by the Town for capital improvements to the water system have been retired.

ANNUAL CONSUMPTION	FEE PER BILLING PERIOD
0 - 9,999 cubic feet	\$15.00
10,000 - 19,999 cubic feet	\$30.00
20,000 - 99,999 cubic feet	\$75.00
100,000 - 249,999 cubic feet	\$100.00
250,000 - 500,000 cubic feet	\$200.00
Over 500,000 cubic feet	\$300.00

All other portions of section 557 shall remain unchanged.

It was discussed that there will be no adverse environmental impact arising from the proposed local law.

FOR LOCAL LAW IMPLEMENTING WATER SERVICE CAPITAL IMPROVEMENT CHARGE (CONTINUED)

At this time, Supervisor Marinaccio opened the public hearing for public comment. Resident Jim Love commented how he assisted and came up with some suggestions regarding the proposed **Tier System**. Mr. Love explained several different ways that reserve funds could be used to cover the costs of future repairs. Mr. Miller stated under this system people could possibly move to another tier if they change water usage patterns. Attorney Blaise explained that the term limit for the improvement charge is tied to the existence of indebtedness, but not a specific bond. Mr. Blaise drafted the law with flexibility so when the debt goes away then does the **Tier System** for the **Capital Improvement Fund**. Also, he stated the local law can be rewritten if the Board wanted to change how or whether the fee is charged. With no more discussion, Mr. Marinaccio closed the hearing at 5:53 PM.

LOCAL LAW PROHIBITING DEPOSIT OF GRASS IN THE RIGHT OF WAY ON TOWN STREETS

The public hearing was opened at 5:53 PM by Supervisor Marinaccio regarding a Local Law pertaining to prohibiting deposit of grass in the right of way on town streets. Attorney Blaise reviewed the proposal prohibiting the deposit of grass in the streets to avoid it entering catch basins. The nitrates from the grass are harmful and could impact **MS-4** regulations. Snow was not included in this law. It initiated with us because the **Village of Port Dickinson** was recommended by the **DEC** to implement this prohibition as part of their code so the **Town of Dickinson** board thought it would adopt a similar law as we would soon be asked to pass a law since it protects the water system **MS-4** by preventing from entering further down the system and the Chesapeake Bay. No comments were heard and Mr. Marinaccio stated it is a good thing and closed the hearing at 5:55 PM.

ATTORNEY

SALE OF 213 BEVIER STREET

Attorney Blaise stated the legal notice appeared in the Press & Sun-Bulleting on April 24, 2014 allowing several weeks for residents to submit a written bid on the 213 Bevier Street property. The deadline is May 30th and all bids will be opened at the June 2nd Work Session. The property is assessed at \$4,500.

PHELPS STREET BURKE EXTENSION

Attorney Blaise reported once Ms. Burke reviewed Mr. Congdon's appraisal report she was agreeable to donate the land to build the road for the **Phelps Street Extension**. Ms. Burke was satisfied that the proposed new road enhances her property value. She requested that in exchange for the donation of this piece of property the Town would

assure her that the property tax assessment would not increase for this undeveloped land due to construction of the road. **Public Works**

PHELPS STREET BURKE EXTENSION (Continued)

Commissioner Kie recommended that once work begins on the road project in 2015 it should have an extremely good base with an oil and stone surface which would be able to be plowed during the winter season.

Supervisor Marinaccio was pleased this project can now move forward for the safety of the residents. The road will be going north of the rail road tracks providing access over the hill to the **Brandy Wine Highway** in an emergency.

EASEMENTS FOR GLENWOOD ROAD SPRING WATERLINE PROJECT

Attorney Blaise stated he did hear back regarding the requests for easements from **BOCES and Broome Developmental**. BOCES will approve this at their next meeting in early June. Unfortunately **Broome Developmental** will not agree to grant the Town an easement for the for the **Glenwood Road Water Line Project**. When making the repairs, Mr. Miller, will go back to installing the water service line in the front of the property although it will raise the price of the repair.

In the interim, the new easement plans for the water line will be drawn-up. The issue is these easements were drawn up over 60 years ago with the most recent drawing probably in the early 1960's.

SHARED SERVICES OF TOWN AND VILLAGE OF PORT DICKINSON

Attorney Blaise stated the Village of Port Dickinson is slated to sign off on the shared services for the **Municipal Agreement** at their next regularly scheduled Board meeting in the next week.

MIX-UP WITH WATER/SEWER CHARGES ON (2) STELLA IRELAND ROAD PROPERTIES

Attorney Blaise confirmed that both residents located at **307 and 317 Lower Stella Ireland Road** were sent letters by Beverly Wike of the water department regarding the resolution of the billing mix-up. The resident in arrears has not responded to their letter as of this date so it will go to their taxes.

COMBINE TOWN AND VILLAGE REGISTRAR OFFICES WITH TOWN CLERK

Attorney Blaise is still looking into how the resolution should be drawn up in order to satisfy the matter with the office of **New York State Vital Statistics**. The plan is to

eliminate the Village of Port Dickinson underutilized district number. He will report back on this.

CHAIR

STACEY DUNCAN, EXECUTIVE DIRECTOR, BROOME COUNTY LAND BANK CORPORATION, ON THE AGENDA FOR OUR MAY 12 REGULAR MEETING

Supervisor Marinaccio confirmed that Stacey Duncan, Executive Director, Broome County land bank Corporation, will address our board at our next meeting.

CORNELL COOPERATIVE EXTENSION-SHARED SERVICES

Supervisor Marinaccio met again with the Administration Staff from the **Cornell Co-Operative** extension regarding the Town offering in-kind services for a non-profit agency. Mr. Marinaccio has made no decisions and still has to investigate this scenario.

What they would like us to do is to plow the snow during the winter months and repair their pot-holes in the parking lot. In return Mr. Marinaccio thought they could handle landscaping for the Town. He needs to compare the value of both services to ascertain how effective this would be. He did verify with the County their budget has been greatly reduced which is why and are receiving a lot of pressure from the State and County in their efforts to encourage consolidation of services. Supervisor Marinaccio will wait to see how this plays out before we consider any exchange of services.

MUNICIPAL CLEAN UP DAY WILL BE HELD MAY 17

Supervisor Marinaccio confirmed the **Town Municipal Cleanup Day on May 17th** from 8:00am to 3:00pm here at the highway garage. Tires, shredding and white goods are included in the cleanup.

MANY THANKS

Supervisor Marinaccio thanks all departments for the articles submitted for the recent Town newsletter. He also received a written note of thanks from Mrs. Bea Jones and Helen Galligon of Sunrise Drive for all the services we perform to make it a nice town.

BROOME COUNTY OFFICE OF MANAGEMENT OF BUDGETS

Supervisor Marinaccio received a letter from **Maria Kalka, Director of OMB** stating the County is looking at a 15 million dollar shortfall. Town of Dickinson's 1st quarter revenue share for 2014 is \$184,000 in line with 2013.

BROOME COUNTY EXECUTIVE OFFICE SHARED SERVICES - IT

Supervisor Marinaccio received a request from the County Executive Debbie Preston to encourage towns to look at shared services with the Counties Information Technology department. We currently have a contract with Blue Storm and are satisfied with our current contract.

COMMITTEE REPORTS

PUBLIC WORKS

1. **Public Works Commissioner Kie** reported the highway department has several trucks towed that broke down this week.
 - a. **TYMCO** has a broken water pump
 - b. Garbage truck used for picking up brush has a broken water pump
 - c. Water truck blew a spark plug in the motor, it was purchased in 1999. The box on the truck has been redone twice, showing its age. We were trying to stretch it out until next year but we need to replace it now because the repairs would be \$10,000.Mr. Kie had the Ford dealer check on vehicle prices. He will put together a bid and spec package for attorney Blaise.
2. The **DOT** started work on Old Front St, installing fiber optics pull boxes for the traffic signals. Unfortunately Mr. Kie was not made known or presented prints regarding the placement before the installation. They were installed only 3 feet away from our water lines. The trepidation is about future water breaks and especially during the winter months. He is concerned about how will the Town deal with these pull boxes crossing over the water lines and interfering with our water lines. Mr. Kie never saw anything in writing before the work began on Old Front Street. Supervisor Marinaccio will contact **Jack Williams** from the **STATE DOT**.
3. The **DOT** is planning to make the intersection wider at the corner of Front Street and Old Front Street near the McDonald's. There will be three (3) lanes instead of two (2).
4. A dresser was reported on Pulaski Street; debris flew off from a vehicle going down the highway from above. Supervisor Marinaccio has been asking the State to protect the area from trash and snow with sound barriers as far back as 1977. More follow-up is needed with the **DOT**.
5. Mr. Miller noted three (3) brand new fire hydrants were installed on **Hickory Road**. **Prospect Terrace Fire Company** had a fire hydrant repaired.
6. **John Street** will be paved and **Hickory Road** is to be milled.
7. The Mr. Miller stated he finally completed all of the winter water repair projects which included, **N. Broad St. and Francis Street**. **Adams Street** work will begin soon.
8. The ongoing battle on **Flow Management** credit system with **SUNY Broome** is continuing and now legal counsel is involved.

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 6:30 PM.

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk