

December 14, 2015 – 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 at 6:00 PM on Monday, December 14, 2015 in the Town Hall, 531 Old Front St., Binghamton, NY.

The members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
Stephen M. Gardner, Councilman
Sharon M. Exley, Councilwoman
Danny F. Morabito, Councilman
Thomas J. Burns, Councilman**

Also attending:

**Oliver N. Blaise III, Esq., Town Attorney
Susan M. Cerretani, Town Clerk**

CHAIR

Supervisor Marinaccio welcomed Mr. Kevin McLaughlin, **Executive Director of The Agency** to the meeting and thanked him for coming to the meeting.

SUPERVISOR'S REPORT

**SUPERVISOR'S MONTHLY REPORT
DECEMBER, 2015**

- Supervisor Marinaccio welcomed Kevin McLaughlin, **Executive Director of The Agency**, formerly the **BCIDA**. Kevin will be presenting a proposal to construct a new office facility on the **SUNY-Broome Campus**.
- Supervisor Marinaccio is still waiting for confirmation to move forward on the three proposals sent to the State and Municipal Facilities Program and Grant along with copies of our procurement policies.
- The **BC Association of Towns & Villages** Annual Holiday meeting will be held on Dec. 17, starting at 6 pm at **My Uncles Place** in the Town of Fenton. Nominations have been set forth and voting for the 2016 Officers will take place at this meeting. Nominated officers are President: Michael Marinaccio, Vice President: Gregg Deemie, Treasurer: Steve Gardner, Secretary: Julie Scott.

SUPERVISOR'S MONTHLY REPORT CONTINUED

- Supervisor Marinaccio was copied once again on an email from the Assistant **DOT** regional Director Scott Vergason that was sent to Lora Zier from the **Broome County Planning Department** voicing his concerns about the location of the proposed **Dunkin Donuts** and its proximity to the state highway. Supervisor Marinaccio is also aware that at least 2 other **Dunkin Donuts** stores are in close proximity to the state highway, the one in Johnson City near the mall and one on Front St. near Lowes.
- Supervisor Marinaccio received a letter from Orchard Park Town Supervisor Patrick Keem requesting that all the municipalities in New York State join him in a letter writing campaign to Governor Cuomo requesting that further research be done on the negative impacts the **State Tax Cap** is having on local municipalities. Supervisor Marinaccio supports Supervisor Keem's efforts and Mr. Marinaccio wrote the letter as requested.
- Supervisor Marinaccio received notification from **Time Warner** that monthly rates will be increasing effective immediately.
- Supervisor Marinaccio received a notice from **NYSEG** that they will begin to use drones when conducting routine inspections of transmission lines and natural gas transmission line rights of way and also when assessing storm damage.
- Supervisor Marinaccio received a call from Ed Gent who is representing **Habitat for Humanity**. He is interested in vacant properties in our town where they can build a new home for their program participants.
- Supervisor Marinaccio reported that rumors are flying that there will be a large rate increase next year from the **Binghamton-JC Joint Sewage Plant**. Increase as high as 50% are being discussed. Supervisor Marinaccio voiced his serious concerns of the increase to Johnson City Mayor Greg Deemie. Supervisor Marinaccio will be reaching out to all the plant users in an effort to meet with Binghamton and Johnson City officials to discuss rate increases.
- As Supervisor Marinaccio mentioned last week, all town residents should be on the alert for persons who are going around town checking to see if homes are occupied during the day. The sheriff is aware of this and is investigating.
- Supervisor Marinaccio issued a reminder that we should begin the process of developing our annual news letter.

SUPERVISOR'S MONTHLY REPORT CONTINUED

Code Violations:

1. 38 Broome St., Gazebo built without a permit
2. 22 N. Broome, building without a permit
3. 926 Upper Front St., various clutter and equipment in and around the garage
4. 35 N. Broome, building without a permit
5. 217 Bevier St., built car port without a permit issued

Dog Control Report

Supervisor Marinaccio is in receipt of the Dog Control Officer's Monthly Report for November, 2015 that covers both the Town and the Village:

Barking dog, stray dogs.

NYSEG Warning Letter:

No letters issued

PRESENTATION: KEVIN MCLAUGHLIN EXECUTIVE DIRECTOR OF THE AGENCY

Kevin McLaughlin, **Executive Director of The Agency** addressed the Town concerning a proposed new office building for his agency at the corner of Upper Front Street and Lt. Van Winkle Drive.

The Agency, formerly **Broome County IDA**, plans to construct a 15,000 square feet building to house their offices and other economic development agencies. As a 501c 3 corporation, the building will be built to the requirements of the New York State Building Codes and conform to Local zoning regulations.

Code Officer Rafferty informed Mr. McLaughlin that the property is zoned R-1 and the proposed use is not consistent with zoning regulations. Town Attorney Blaise stated that a use variance would be difficult to obtain and suggested that the property could be rezoned to PUD. This would allow the proposed office building.

Mr. McLaughlin stated that the building will be built with energy efficiency in mind and will blend in with the surrounding campus buildings. The existing building adjacent to the proposed building would be torn down and the space used for additional parking. The parking requirements for the building would be 150 parking spaces. Attorney Blaise stated that if the parking or other bulk requirements could not be met, it would be possible to apply to the Town of Dickinson Zoning Board of Appeals for area variances.

Mr. McLaughlin thanked the Board members and stated that he was unaware of the zoning issue until this evening. He will meet with President Drumm of **SUNY Broome** and his agency to address the issues raised this evening.

PUBLIC COMMENTS

Resident Ed Petras expressed his concerns about the parking situation on Rosedale Drive. He stated that he is very passionate about the safety of the residents especially in the event of an emergency situation.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley, seconded by Councilman Morabito to approve the **November 2, 2015 Work Session Minutes and November 9, 2015 Regular Meeting Minutes.** All in favor. Vote Ayes-5, Nays-0

ABSTRACT FOR APPROVAL

On Motion from Councilman Gardner, seconded by Councilwoman Exley to approve abstract #12 in the amount of **\$467,265.47** Vote Ayes – 5, Nays – 0.

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

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount of **\$467,265.47**

Voucher #12 for December 2015 in the amount of \$467,265.47

<u>General Fund</u>	<u>\$114,553.97</u>
<u>Part Town</u>	<u>\$1,537.59</u>
<u>Highway</u>	<u>\$41,542.26</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$7,850.07</u>
<u>Refuse & Garbage</u>	<u>\$7,862.42</u>
<u>Sewer Operating Dist.</u>	<u>\$33,310.55</u>
<u>Water Operating Dist.</u>	<u>\$16,752.60</u>
<u>Phelps Street Extension</u>	<u>\$243,856.01</u>

CHAIR

NO PARKING ON LOWER ROSEDALE DRIVE

The board members were provided a copy of a letter that will be mailed to Town residents regarding parking regulations. Supervisor Marinaccio suggested an additional letter be mailed to the residents on Rosedale Drive.

Supervisor Marinaccio stated that we will put it on hold and do some more research. It was suggested by Councilman Morabito that the burden be put on the residents rather than the Town imposing restrictions.

AOTV CHRISTMAS MEETING

The **BC Association of Towns & Villages** Annual Holiday meeting will be held on Dec. 17, starting at 6 pm at **My Uncles Place** in the Town of Fenton. Nominations have been set forth and voting for the 2016 Officers will take place at this meeting. Nominated officers are President: Michael Marinaccio, Vice President: Gregg Deemie, Treasurer: Steve Gardner, Secretary: Julie Scott.

2016 ORGANIZATIONAL RESOLUTION

Supervisor Marinaccio stated that the Organizational Meeting is coming up and there will be a few minor changes to committee posts. Mr. Marinaccio has reviewed the holiday and meeting date schedule and there are no major changes.

REPORTS OF ATTEMPTED BURGLARY ROGERS MOUNTAIN WAY

As Supervisor Marinaccio mentioned last week, all town residents should be on the alert for persons who are going around town checking to see if homes are occupied during the day. The sheriff is aware of this and is investigating.

REPORTS OF SPEEDING ON MARKET STREET

Captain Newcomb from the **Broome County Sheriff's Department** and the State Police have posted patrol cars on Market Street.

REPORTS OF FINDING HYPODERMIC NEEDLES IN GLENWOOD CEMETERY

Mr. Marinaccio and Highway Commissioner Kie stated that the Sheriff's Department has followed up with increased patrols in Glenwood Cemetery to address the drug activity.

ATTORNEY

RESOLUTION: Adopting Negative SEQRA declaration Re: Placement of stop sign on North Moeller Street at the intersection of Taft Avenue.

RESOLUTION 2015 – 55

The following Resolution was offered by Councilman Morabito who moved its adoption, seconded by Councilman Burns to wit:
BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION: ADOPTING NEGATIVE SEQRA DECLARATION RE: PLACEMENT OF STOP SIGN ON NORTH MOELLER STREET AT THE INTERSECTION OF TAFT AVENUE.

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 – 5, Nays – 0

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

All in favor. Resolution attached.

RESOLUTION: ADOPTING Local Law Re: Placement of stop sign on North Moeller Street at the intersection of Taft Avenue.

RESOLUTION 2015 – 56

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilwoman Exley to wit:
BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION: ADOPTING Local Law Re: Placement of stop sign on North Moeller Street at the intersection of Taft Avenue.

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 – 5, Nays – 0

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

All in favor.

RESOLUTION: SCHEDULING A PUBLIC HEARING RE: CHANGES TO TOWN CODE BOOK FOR REPAIRS TO WATER LINES

RESOLUTION 2015 – 57

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilman Morabito to wit:
BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION: SCHEDULING A PUBLIC HEARING RE: CHANGES TO TOWN CODE BOOK FOR REPAIRS TO WATER LINES

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 – 5, Nays – 0

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

All in favor

RESOLUTION: AWARDING SELF HELP BID AND AUTHORIZING SUPERVISOR TO SIGN RELATED CONTRACT DOCUMENTS

RESOLUTION 2015 – 58

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilman Burns to wit:
BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION: AWARDING SELF HELP BID TO R. DEVINCENTIS CONSTRUCTION, INC. AND AUTHORIZING SUPERVISOR TO SIGN RELATED CONTRACT DOCUMENTS

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 – 5, Nays – 0

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

All in favor.

PUBLIC WORKS

HIGHWAY DEPARTMENT ADMINISTRATIVE

- Public Works Commissioner Kie stated that the leaf pick has ended for the year.
- Outdoor meter readers on Linda Drive and Maiden Lane have been installed.
- Public Works attended a safety meeting with the Town of Kirkwood.
- Postcard will go out in the mail this week regarding on-street parking restrictions.
- Review stop sign placement on N. Louisa Street, N. Moeller Street and Taft Ave. and code.
- The Town Board gave approval for Mr. Kie to contact Broome County Real Property Director David Hamlin regarding 5 lots on N. Broad and N. Louisa Street with no road footage that are contiguous to lots that the town owns and request to have the properties removed from the auction block and deed them over to the Town.
- The Microtel project has hired a new crew of carpenters.

PLANNING BOARD

Planning Board Chairman David Wasser stated the 125th anniversary celebration will be held on Saturday, September 17th, 2016 from 11 AM to 3PM. The Fire Companies will be present for the kickoff ceremony. There will be activities for the children, a storyteller, food, flags, decorations, possibly some farm animals and the music department from Chenango Valley.

ZONING BOARD

Nothing to report at this time.

CODE ENFORCEMENT

- 30 days is up for the County's recommendation on the re-zoning for Dunkin Donuts.
- Code Enforcement Officer Rafferty received a call from Tim Matthews the carpenter department head at BOCES. Habitat for Humanity has a contract with BOCES to build a modular home. M. Matthews asked Mr. Rafferty the procedure for issuance of a building permit. Code Enforcer Rafferty has a call into the Department of the State for clarification.

MONTHLY FINANCIAL REPORTS

SUPERVISOR'S MONTHLY REPORT

Councilman Morabito made a motion to accept the 2015 Monthly Financial Report(s) for the month of September. On motion of Councilman Morabito and seconded by Councilman Burns. All in favor.

TOWN CLERK MONTHLY FINANCIAL REPORT

Councilman Morabito made a motion to accept the **November 2015 Monthly Financial Report** for the **Town Clerk in the amount of \$1,552.40**. On a motion by Councilman Morabito seconded by Councilwoman Exley. All in favor

Town Clerk's Report	
November 2015 in the amount of: \$ 1,552.40	
<u>NYSDOH</u>	<u>\$22.50</u>
<u>NYS Ag & Markets spay/Neuter program</u>	<u>\$45.00</u>
<u>Supervisor Town of Dickinson</u>	<u>\$1,484.90</u>

TOWN OF DICKINSON COURT MONTHLY FINANCIAL REPORT

Councilman Morabito made a motion to accept the **Financial Report(s) for the Town Of Dickinson Court for the month October in the amount of \$43,942 and the month of November in the amount of \$73,678**. On motion of Councilman Morabito and seconded by Councilman Gardner. All in favor.

Councilman Morabito made a motion to move the meeting into executive session to discuss information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed. On a motion by Councilman Morabito and seconded by Councilman Gardner. All in favor.

The meeting was adjourned at 7:19 PM into executive session.

Respectfully submitted,

Susan M. Cerretani
Town Clerk