

April 6, 2015 – 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, April 6, 2015 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
Stephen M. Gardner, Councilman**

Also attending:

**Oliver N. Blaise III, Esq., Town Attorney
Wanda R. Broczkowski, Town Clerk**

Absent:

Sharon M. Exley, Councilwoman

ATTORNEY

Attorney Blaise reported as follows:

DEED FOR PHELPS STREET EXTENSION

Attorney Blaise reported the deed and all closing documents are now with Mrs. Burke's attorney and closing will be scheduled once she becomes available.

MARION STREET PARCEL TRANSFER

Attorney Blaise confirmed the closing will be scheduled any day now regarding the transfer of the parcel to the Katusha's.

TOWN BOUNDARY ANNEXATION OF 932 UPPER FRONT STREET TO TOWN OF CHENANGO

Attorney Blaise reported that they are working with Frank Evangelisti of the County on the final preparation of the new town boundary maps, which is the final step regarding the annexation with the **Town of Chenango**.

PROPOSED LEGISLATION TO PERMIT LOCAL LAW RESTRICTING SEX OFFENDER RESIDENCY

Attorney Blaise reviewed three (3) sample summaries of bills before the **New York State Legislature** for the board members to assess. Eventually the board will decide if we will 'keep it in place' or rescind our local law. Mr. Blaise will continue to monitor the states proceedings to determine if the Town is to either readopt our **Local Law No. 6 of 2006** passed September 1, 2006 which currently is unenforceable

RESOLUTION: EXTENDING VFBL COVERAGE TO OUT OF AREA CALLS

Attorney Blaise provided a draft resolution for extending the **Volunteer Fire Benefits Law (VFBL) 209-I** under **Worker's Compensation**. Mr. Blaise described several scenarios of how this would aid volunteer fire fighters who come upon a scene outside of their home area. The process involves them being "deputized" at the scene by a jurisdictional officer in command in order to ensure they have **Worker's Compensation** protection during an emergency situation.

The resolution will be passed at the Regular Meeting, Monday April 13th.

RESOLUTION NYSDOT REQUESTS FOR ROUTE 81/17 RESOLUTIONS

Attorney Blaise is working on this for next week's meeting.

AGREEMENT REGARDINGDPW CONSOLIDATION WITH VILLAGE

Attorney Blaise will prepare an agreement for review after discussing comments from Mr. Miller and Public Works Commissioner Kie.

NATION WIDE INSURANCE CLAIM

Attorney Blaise received a **notice of claim** in the amount of \$2,171.80 due to damage to their insured's vehicle that occurred on January 3rd, 2015 at the corner of Front St. and Orchard Road at 1:00am. The claimant was following a town plow too closely as it stopped at the stop sign; then as it was turning around it backed into the claimant's vehicle. **NYMIR** declined the claim. Mr. Blaise will check with **NYMIR** and pass the materials he received onto **NYMIR**.

CHAIR

2015 NEWSLETTER

Supervisor Marinaccio stated there were several mistakes in the recent newsletter which included an incorrect **Red Cross** phone number and 2013 instead of 2015 on the header by the printer.

HIGHWAY LIGHTING NYSEG POLE LIGHT CREDITS

Supervisor Marinaccio has cited problems researching the unlit pole light(s) in order to receive credits for these inoperable lamps. It is discouraging because we put a lot of effort into this report. In the interim a Terrace resident complained about the darkness at the Front and Old Front Streets intersection. Mr. Marinaccio will continue to pursue this matter.

PORT DICKINSON CONSOLIDATION MEETING UPDATES

Supervisor Marinaccio reported success and accomplishment of all ongoing talks with the **Village of Port Dickinson** on **Highway Consolidation** result in a joint meeting with our Board, Public Works Commissioner Kie, their Mayor and Trustees.

PUBLIC ASSISTANCE WORKSHOP, APRIL 15, 8:30AM, TOWN OF CHENANGO

Supervisor Marinaccio announced a **Public Assistance Workshop**, April 15, 8:30am, being held at the **Town of Chenango**.

TAX CAP MEETING(S) SCHEDULED

The next tax cap/shared services meeting will be April 16, 2:30pm, at the County building. Supervisor Marinaccio will attend and report back on this. State legislators will discuss possible exemptions related to the tax cap formula.

SEX OFFENDER STATE RESIDENCY LAW

Supervisor Marinaccio was one of five speakers participating in a Press Conference on Thursday, March 26th at **Otsinengo Park** sponsored by the **Broome County Legislature** in support of protecting our children from sexual offenders by making people aware of the recent NY State law voiding any local laws. Assembly and Senate bills are under review and we shall wait to see the outcome.

ASSOCIATION OF TOWNS AND VILLAGES (AOTV)

Supervisor Marinaccio informed us the next **AOTV** meeting will be held on Thursday, April 23, 6:30 PM. The association received the decline of Terry Kellog, the nominee for President for a second term. According to the by-laws, the **Board of Officers** can nominate someone. Mr. Marinaccio will keep us informed.

JOHNSON CONTROLS

Supervisor Marinaccio, Joel Kie and Beverly Wike will meet with a representative of **Johnson Controls** to offer us a retrofit on the new street lighting. It is expensive but in 2 to 3 years the cost of the retrofit is realized.

PHELPS STREET EXTENSION REVENUE

Supervisor Marinaccio wrote several letters to government heads, **BMTS** and **NYS DOT** soliciting revenue for the proposed **Phelps Street** extension project in regards to the safety issues when trains back-up and block the train tracks. Mr. Marinaccio received a communication that during a recent two (2) hour road block one woman ‘crawled’ under the stopped train to prevent being late for work as her husband waited for her on the other side of the tracks. The board is concerned for resident safety.

PROSPECT TERRACE FIRE COMPANY MEMBERSHIP LISTING

Supervisor Marinaccio received a letter from the Secretary of the **PTFC** list of the new Board Officers. Per Attorney Blaise, the Town should be given a complete list of all members of the **PTFC**. The Town Board must pass a resolution acknowledging all of their members. Mr. Marinaccio will confirm the active members to pass this resolution under the **FBO**.

16 FRANCIS STREET

Supervisor Marinaccio corroborated we had a meeting with our Town Attorney and the owner and landlord of **16 Francis Street** regarding continual and supporting police reports documents. We shall be on watch for potential issues before shutting down the property and call him back in as necessary. The property owner wants to cooperate with the Town and respect Town law.

PUBLIC WORKS

Public Works Commissioner Kie stated of the December \$18,000 bill Mr. Cook sent us, the check can be released now that we have all the documents for the survey of smoke testing work. There were just a few issues. Five (5) were sewer cap clean outs and one had infiltration issues on Johns Street.

WATER BREAKS

Mr. Kie reported discrepancies of who is responsible for frozen water pipes and sewer breaks in reference to Code. There are contradictions under the CODE and it is unclear who is responsible. Public Works Commissioner Kie will advise Oliver what sections apply so he can start researching this.

CMOM – VIDEO CAMERA INVESTIGATIVE WORK SUMMARY

Public Works Commissioner Kie cited several areas of the town need major infrastructure repair during videoing of water and sewer pipes:

Sowden Street – Clay pipe is eroding and one section is collapsing. Mr. Kie would like to be proactive to get the work completed before **NYS DOT** erects the proposed noise barriers along future I-86. The flow through these two sewage pipes stem from **BOCES, Broome Developmental, Ely Park** and everyone up on **Glenwood Road** hill. Cost is \$37,000 or \$79,000 depending on what method we utilize.

Bellaire Drive- Water continually drains onto the road which in the winter months ice sheets form over the whole road. Upon investigating this situation **CMOM** work was also performed and it was determined the sewer pipe needs repair in the amount of \$123,000 which would wipe out most of the highway fund which currently has \$146,000.

True Street – Two (2) water services froze over the winter. While examining the water lines it is recommended before completing the repair, it would be a good idea to install a new fire hydrant. Renovation costs would be \$37,000.

Plan: Review all options and decide where the funding would come from.

FIRE HYDRANT MAINTENANCE

Public Works Commissioner reported the fire department is looking to color code the fire hydrants to specify the size of the main, flow and force of pressure for the benefit of fire fighters. It will be put under consideration during fire hydrant maintenance.

CODE

Public Works Commissioner Kie reported the current **CODE** software needs to be replaced with a more efficient system. Code Enforcer Rafferty explained all in his April 6th Email and is recommending we look into one that provides **GIS** mapping, inventory and more efficient tracking methods. **Williamson** has the capability for this application and will be under consideration.

PUBLIC COMMENTS

Jim Love wondered about the recent article in **The Press** regarding the **Binghamton Johnson City Joint Sewage Treatment** plant possessing extra funds and the reported lawsuit. Supervisor Marinaccio had no knowledge or information to offer on the matter.

ASSESSOR

None.

PLANNING AND ZONING BOARDS

None.

On motion by Supervisor Marinaccio the meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 6:43 PM.

Respectfully submitted,

Wanda R. Broczkowski
Town Clerk