

**December 5, 2016 – 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, December 5, 2016 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 Blaise, Esq., Attorney for the Town  
Susan Cerretani, Town Clerk**

**Also in attendance:**

**Code Enforcement Officer Stephen Rafferty, Town Engineer Ron Lake, Public Works Commissioner Joel Kie, Administrative Assistant Beverly Wike, Planning Board Chair/Town Historian David Wasser, Town Assessor Jack Cahill, Town Justice Thomas Cline, Esq. and one member of the general public.**

Supervisor Marinaccio stated that we have three Public Hearings this evening.

Supervisor Marinaccio opened the first Public Hearing 5:30 PM.

**PUBLIC HEARING RE: 2017 WATER RATE ADJUSTMENT**

Attorney Blaise stated that it was called to his attention that the water adjustment rate should be effective the middle of December, not January 1st as previously advertised, in order to avoid having to do a special reading. This Public Hearing is a follow up to the re-advertisement of the effective date of the water rate adjustment.

The proposed water rate adjustment

Current rate: \$10 for the first 100 cu ft

Proposed rate: same \$10 for the first 100 cu ft

Current Rate: \$4.05 per 100 cu ft for 101- million cu ft

Proposed rate: \$4.50 per 100 cu ft for 101- million cu ft

Supervisor Marinaccio stated that water is billed on a per quarter basis. The Town has absorbed increases over the past few years but now must increase the rates because it has caught up to us.

**PUBLIC COMMENTS:**

Resident Jim Love asked how much longer will there be a surcharge on the water and sewer bill. Administrative Assistant Bev Wike replied that it would probably be at least 7 more years. Supervisor Marinaccio stated that any debt we have incurred, the money has been well spent. Councilman Morabito stated that it boils down to how fast we want to pay down our debt. If we don't have a surcharge we have to raise the rates even higher. We are trying to get a balance

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between debt vs. interest payments. Councilman Morabito explained that we want to minimize interest charges as much as we can and at the same time pay down the debt.

Supervisor Marinaccio closed that portion of the Public Hearing at 5:40PM

Supervisor Marinaccio opened the second Public Hearing at 5:40 PM.

**PUBLIC HEARING RE: ADOPTION OF LOCAL LAW AMENDING DUMPING PROVISIONS OF SOLID WASTE MANAGEMENT AND ZONING LAWS**

Attorney Blaise stated that we would be amending two sections of code – solid waste management and zoning. Attorney Blaise explained the revision would edit and change the language for the permitting process. Mr. Blaise updated the code with a revision regarding “refuse” and added that a provision would be added that states upon inspection an engineering study may be required by the Town at the expense of the applicant.

**PUBLIC COMMENTS:**

A question was posed by Town Justice Cline: Will there be a change in the penalty? The question was answered by Attorney Blaise and Code Enforcement Officer Rafferty: The penalty is set by the Department of State under the Building Code.

Supervisor Marinaccio closed that portion of the Public Hearing at 5:45 PM

Supervisor Marinaccio opened the third Public Hearing at 5:45 PM.

**PUBLIC HEARING RE: RENEW PORT DICKINSON FIRE COMPANY FIRE PROTECTION DISTRICT 3 CONTRACT**

The proposed Port Dickinson Fire Protections District #3 renewal is a 3 year contract:  
First Year (for 2017) at the current rate of \$29,146  
Second Year (for 2018) at the rate of \$29,646  
Third Year (for 2019) at the rate of \$30,146  
Supervisor Marinaccio noted that the Town received the Port Dickinson Fire Protection Contract notification after the budget was passed. Normally this is done in October/November.

Supervisor Marinaccio closed the Public Hearing at 5:47 PM.

**CHAIR**

**2017 ORGANIZATIONAL RESOLUTION**

Supervisor Marinaccio will provide a copy of the Organizational Resolution to the board members prior to the January Work Session. Mr. Marinaccio. Staff must be re-appointed. Meetings dates and holidays will be reviewed at the next work session.

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### AOTV

The next meeting of the **Broome County Association of Towns & Villages** is scheduled for Thursday, December 15th, 6:00 PM at **Little Venice Restaurant**. Election of 2017 officers. There will be no cost for members. \$18 charge for guests. Please RSVP Steve Gardner by Saturday, Dec. 10<sup>th</sup>.

### WATER FEES

Administrative Assistant Wike stated that Town of Chenango residents on Forest Hills Blvd are going to be added on to our water and sewer bill. Ms. Wike asked the Board if the Capital Improvement charge should be added to their account on the next billing period. These residents are using same services as our residents. Mr. Marinaccio and Councilman Morabito stated that they think they should be charged. The board will vote on this next week. The residents have been paying the Town of Chenango and the Town of Dickinson has been rebated by Chenango. This change in billing has been requested by the Town of Chenango.

### RE-LEVY

Administrative Assistant Wike proposed that the Board consider charging residents who do not pay their water and sewer bills by the final date and are re-levied to taxes a \$100 penalty fee, exclusive of penalties. Currently, the penalty fee is 10% of current bill each quarter. This year there are 166 re-levied parcels and many of those are frequent offenders. Several options were discussed and held for further discussion.

### PEDESTRIAN WALK BRIDGE

Supervisor Marinaccio and Public Works Commissioner Kie met with two representatives from the **NYS Department of Transportation** regarding the **Walk Bridge** from **Sunrise Terrace** and over I-81 onto Front Street at their request. The bridge study, after 3 years, was completed and the study indicates to them that the **Walk Bridge** should be dismantled and not be replaced. The initial plan is to rebuild the Front Street overpass bridge and add an asphalt walking path to it with concrete barriers. If this occurs, it will not take place for at least another 3-4 years. The Town would by State Law assume responsibility for ice and snow removal of the walkway. Supervisor Marinaccio stated that he and Mr. Kie voiced their concerns to the DOT representatives. There will be a Public Hearing held by the **NYS Department of Transportation** sometime in January. One hearing will take place at the Town of Dickinson Town Hall and the other at Theodore **Roosevelt School**. In the meantime, we will begin to reach out to our State Senator, State Assemblyman and **Senator Schumer** in an effort to find funds to rebuild and replace the walk bridge. Supervisor Marinaccio contacted the president of the Sunrise Terrace Association and suggested that we do a letter writing campaign. Mr. Marinaccio would like to reach out to Senator Schumer immediately. Sunrise Terrace is locked in. Supervisor Marinaccio rejected the idea of putting an emergency gate at the end of Adams Drive.

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As it is, the walk bridge is not ADA compliant. Supervisor Marinaccio stated that he was told by DOT that it would cost \$800,000 to a million dollars to renovate the walk bridge and it would cost approximately 2 million dollars to install a new walk bridge.

### **GRANT**

Supervisor Marinaccio stated that the \$50,000 State Municipalities Facilities Grant that was submitted 1 ½ years ago for the purpose of installing block walls, a marquee and automatic doors has been kept open for us.

### **MEGA**

Supervisor Marinaccio stated that he is uncomfortable with the **MEGA** plan for several reasons, one of them being that our residents wouldn't be given a choice – they can't opt in; they can only opt out of the program.

### **ATTORNEY**

#### **RESOLUTIONS FOR ADOPTION AT DEC. 12<sup>TH</sup> BOARD MEETING: 2017 WATER RATE ADJUSTMENT, DUMPING LOCAL LAW, PDFC FIRE PROTECTION CONTRACT**

Attorney Blaise stated that he will prepare the resolutions for next week's meeting.

### **SOLAR ENERGY COMMITTEE UPDATE**

The Solar Energy Committee will meet Wednesday morning to review parcels and potential development sites.

### **BID FOR NEW DPW TRUCK**

The Bid Notice for the Ford F550 Truck was published in the Saturday, December 3, 2016 issue of the Binghamton Press. Bid opening will take place December 12, 2016 at 1:00 PM by Public Works Commissioner Joel Kie and Town Clerk Susan Cerretani. Order time for a new truck is typically 15-16 weeks.

### **PUBLIC WORKS**

- Public Works Commissioner Kie and Attorney Blaise discussed that the shared service agreement with the State was never signed. Attorney Blaise will follow up.
- Public Works Commissioner Kie reported that leaf pickup is officially over. The truck has been converted over to a Salter.
- Public Works Commissioner Kie stated that Sowden Street is very narrow and as long as the contractor is working in that area constructing the sound barriers it is an opportune time to make improvements. Mr. Kie has asked DOT to make the road wider. DOT will work on pricing and Town Engineer Ron Lake will review the calculations. The State will work up an agreement for Board approval.

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- Public Works Commissioner Kie reported that he rented the Timko street sweeper for a week from J & J rental to clean up debris after the fall leaf pickup.

**CODE ENFORCEMENT**

Code Enforcement Officer Rafferty reported that he received the plans for the Taste of New York building and the demo permits for 3 buildings have been issued. We are now waiting for a response from **SHPPPO**.

**ASSESSOR**

Town Assessor Jack Cahill requested an executive session to discuss ongoing litigation.

**PLANNING AND ZONING BOARDS**

Supervisor Marinaccio stated that the Planning Board has had a busy year with the Farmers Market, The Agency, Taste of New York and the Comprehensive Plan.

The meeting was adjourned into executive session to discuss possible litigation on a motion of Councilman Morabito seconded by Councilman Burns at 6:41 PM.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:30PM.

Respectfully submitted,

Susan M. Cerretani  
Town Clerk