

April 3, 2017 – 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 3, 2017 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 Cerretani, Town Clerk**

Also in attendance:

**Public Works Commissioner Kie, Town Code Enforcement Officer Rafferty,
Town Engineer Lake, Resident Jim Love**

Absent:

Sharon M. Exley, Councilwoman

CHAIR

Supervisor Marinaccio presented his Work Session report:

1. Supervisor Marinaccio complimented Public Works Commissioner Kie and his employees for the great job that they did during one of the worst storms ever to hit this area in many years. Not only did they keep our roads and sidewalks clear and safe, they also did a few streets in the city that are located next to the **Ely Park** area. The Supervisor stated that he knows this because he was riding with Mr. Kie while he drove the snow plow truck. That was quite an experience and one should never underestimate what it takes to snow plow roads, especially if there are vehicles parked in the road. Supervisor Marinaccio received phone calls from both our residents as well as city residents complimenting us on how well our crews performed during the storm. Both Mr. Kie and the Supervisor participated in the emergency conference calls, state of emergency calls, etc. in an effort to keep up with what was going on throughout the county and to see if any of the other municipalities needed assistance. Mr. Marinaccio also received a letter from the **Chenango Valley School District** thanking us for the great job that we did with snow removal which helped them with transportation needs for the school buses.
2. Supervisor Marinaccio stated that the **NYS Budget** remains on hold and is still being negotiated. The governors attempt to remove municipal home rule with his latest initiatives was turned down by both the assembly and senate and we are now keeping a close watch to see if there are any counter proposals coming forth. As board members of the **NYAOT**, we have been very busy lobbying both senate and assembly members in voting down many of the governor's proposals that take away home rule and other issues that would affect us financially.
3. The town news letter is now complete in draft form and will be reviewed for errors, changes, etc before it goes to the printer for its first draft printing for the board to review.

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4. Supervisor Marinaccio placed 340 Prospect St. on the agenda just to make sure the board has some discussion on it tonight so that everyone is aware of what is taking place there and what steps are to be taken.
5. Mr. Marinaccio stated that a couple of weeks ago our Town Clerk called to inform him that some people from the **Red Cross** were going around **Sunrise Terrace**, door to door, asking folks if they wanted free smoke alarms. The town was not informed that this was going to take place. The **Red Cross** program did call the sheriff's department which we confirmed later on and the Supervisor called and later in the day spoke to one of the **Red Cross** managers and strongly suggested to her that in the future they should inform the town prior to any such door to door activities so that we can post that activity on our web site and be able to address any calls that any of our town officials may receive while these activities are taking place. **Red Cross** apologized and agreed to do that. No permit was required for their solicitation.

Next **AOTV** meeting, possible April 27, Tom Kowalik, from the **Clean Energy Communities** Designation is a **NYSERDA** program which encourages municipalities to adopt 4 of 10 high impact action items by offering non-matching grants to designated communities for clean energy projects. Designated municipalities which have completed with populations greater than or equal to 40,000 are eligible for up to 250,000 in non-matching funds, and communities with populations less than 40,000 can be eligible for up to \$100,000 in non-matching funds to be used for clean energy projects.

Supervisor Marinaccio announced that there will be a fundraiser for Dave Rieger's son Robert who is a former Town of Dickinson Dog Control Officer and has stage 4 cancer. The benefit will take place on Sunday, May 7th from 2-6 pm at **Giblin's Irish Pub**, 256 Main Street, Johnson City.

COMMENTS:

Councilman Burns asked if the City of Binghamton requested help from the Town during the recent snowstorm. Supervisor Marinaccio replied that he and Public Works Commissioner Kie were plowing in the Prospect Mountain area and noticed that Conti Court and Ridge Rd. hadn't been plowed. Public Works Commissioner Kie opened up the road with the plow which took 10-15 minutes. The Supervisor informed the City of Binghamton that we plowed the area for them. Mr. Kie stated that the city eventually sent out a 550 truck which proceeded to get stuck.

ATTORNEY

REVISIONS TO BUILDING PERMIT APPLICATION

Attorney Blaise stated that he will work with Mr. Rafferty and Mr. Kie to update our building permits after determining the impact, if any, of the new rules from the **Department of State**.

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MUNICIPAL CLEANUP DAY RESOLUTION

Attorney Blaise stated that we will have a **Clean Up Day Resolution** on next week's agenda. The proposed date is May 20th.

LOT SIZE FOR RURAL AREAS

Attorney Blaise stated that Public Works Commissioner Kie informed him that he received an inquiry whether a parcel located on Phelps Street could be divided in half. There was a discussion as to lot size and frontage requirements. The **Health Department** informed Mr. Kie that there are many variables such as the size of the lot, the number of occupants in the building, soil conditions etc. that need to be considered. Town Engineer Lake added that the water and septic systems must be separated by so many feet. Mr. Kie is concerned that others will divide their parcels and alter the character of the neighborhood.

The discussion boiled down to two issues:

1. Infrastructure
2. Character of the neighborhood

Code Enforcement Rafferty will check with the **Broome County Health Department** for their recommendations regarding regulations and lot size requirements for well and septic.

FENCING LAW

Attorney Blaise stated that we do not have any laws in place for fencing regulations at this time. A recent inquiry by a resident who requested specifics of Town of Dickinson fence regulations generated an interest in developing our fence code. Code Enforcement Officer Rafferty was recently notified that a resident in **Sunrise Terrace** erected an electric fence in order to keep the deer off of his/her property. Attorney Blaise will look at samples of neighboring municipalities fence laws for the board to review.

340 PROSPECT STREET

The Town of Dickinson has received an application from **Fairview Recovery Services, Inc.** to allow the building at 340 Prospect Street (**St. Ann's Catholic Church – Church of the Holy Trinity**) as a transitional residence with offices located on the first floor. The property is zoned **Planned Unit Development** and the residential use is permitted in the district. The use of the first floor as an office use is not a permitted use. The process for approval would be for the applicant to appear before the zoning board of appeals for the first floor office use and parking variance. If those two items are approved, the Town Board will review the plans and approve the preliminary **PUD** plan. The final step would be for the Town Planning Board to approve the final plans and site plan review. Once the Town has received the necessary recommendations from the review agencies under the **239 review**, the Town will schedule a public hearing on the variance requests with the Zoning Board of Appeals.

The applicant proposes to utilize the building as a recovery and outreach center on the ground floor with office and educational space and a re-integration supportive living residential program on the upper two floors. As is, there are 9 available parking spaces, whereas 16 are required.

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In the discussion it was noted that the present status of the property is wholly exempt. The organization might qualify as a non-profit organization. The new owner would have to apply to Mr. Cahill, Town Assessor for an exempt status and he would make that determination. **Fairview Recovery Services** program provides 3 stages of housing. This program would be the final stage before complete re-integration. There will be a minimum of 9 people per floor, with a total of 18 residents. The average length of stay will be approximately one year. These residents will have already been through several steps in their drug and alcohol recovery and will be monitored and drug tested still.

PUBLIC WORKS

- Public Works Commissioner Kie took the opportunity to thank the board for their support in approving the purchase of equipment which enabled his public works crew to perform snow removal.
- Mr. Kie stated that approximately 6 mailboxes were damaged by the snowplows and have been repaired.
- The County is trying to obtain emergency funding for overtime, fuel and anything that was damaged during the recent snowstorm. Mr. Kie stated that approximately 530 feet of blacktop curb on Deyo Hill Rd. was damaged and will need repair.
- Mr. Kie stated that next year the Highway Department will distribute markers to the residents in the **Chenango Shores** area to place on their properties so that the snow plows do not dig up their lawns.

COMMENTS:

Resident Jim Love mentioned that the fire hydrant located at the foot of Orchard Rd., near **Mirabito**, got buried in the snow by the plows that cleared the **Mirabito** parking lot.

Councilman Gardner reported that the **Town of Chenango Zoning Board of Appeals** denied the use variance request for 959 Front St. as it did not fit the character of the neighborhood.

CODE ENFORCEMENT

None

ASSESSOR

None

PLANNING AND ZONING BOARDS

None

On motion by Supervisor Marinaccio, the work session was adjourned by motion from Councilman Morabito and seconded by Councilman Burns at 6:37PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk