

RESOLUTION 2022 - 1

RESOLUTION ADDRESSING ORGANIZATIONAL  
MATTERS FOR TOWN OPERATIONS IN 2022

Offered by Councilperson \_\_\_\_\_

Offered by Councilperson \_\_\_\_\_

WHEREAS, it is necessary and appropriate to establish certain organizational matters for the operation of the Town of Dickinson for 2022.

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board hereby authorizes the following:

1. TOWN BOARD MEETING SCHEDULE

The Town Board shall meet at the Town Hall, 531 Old Front Street, Town of Dickinson, New York, for the purpose of conducting Town Business, on the following dates and at the following times:

January 03, 2022	5:30 PM Work Session
January 10, 2022	6:00 PM Regular Meeting
February 07, 2022	5:30 PM Work Session
February 14, 2022	6:00 PM Regular Meeting
March 07, 2022	5:30 PM Work Session
March 14, 2022	6:00 PM Regular Meeting
April 04, 2022	5:30 PM Work Session
April 11, 2022	6:00 PM Regular Meeting
May 02, 2022	5:30 PM Work Session
May 09, 2022	6:00 PM Regular Meeting
June 06, 2022	5:30 PM Work Session
June 13, 2022	6:00 PM Regular Meeting
July 11, 2022	5:30 PM Work Session/Regular Meeting
August 08, 2022	5:30 PM Work Session/Regular Meeting
September 12, 2022	5:30 PM Work Session/Regular Meeting
October 03, 2022	5:30 PM Work Session
October 11, 2022 (TUESDAY)	6:00 PM Regular Meeting
November 07, 2022	5:30 PM Work Session
November 14, 2022	6:00 PM Regular Meeting
December 05, 2022	5:30 PM Work Session
December 12, 2022	6:00 PM Regular Meeting

2. TOWN HALL OFFICE HOURS.

The office hours for the Town Hall in 2022 shall be 9:00 AM to 4:00 PM - Monday through Friday, except holidays.

3. HOLIDAYS

The Town shall have twelve (13) paid holidays, observed during 2022 as follows:

<u>Holiday</u>	<u>Date of Observance</u>	
New Year's Day (observed)	December 31, 2021	Friday
President's Day	February 21	Monday
Memorial Day	May 30	Monday
Juneteenth (observed)	June 20	Monday
Designated Holiday	July 1	Friday
Independence Day	July 4	Monday
Labor Day	September 5	Monday
Columbus Day	October 10	Monday
Veterans Day	November 11	Friday
Thanksgiving	November 24	Thursday
Designated Holiday	November 25	Friday
Designated Holiday	December 23	Friday
Christmas (observed)	December 26	Monday

4. OFFICIAL NEWSPAPER

The Press & Sun Bulletin is designated as the official newspaper for the Town of Dickinson for the year 2022.

5. DEPOSITORIES FOR TOWN MONEYS.

The following banks or trust companies in Broome County are designated as Depositories for all moneys coming into the hands of the town officers by virtue of their office in the year 2022: NBT Bank, N.A.

6. INVESTMENT OF TOWN MONEY

The Town Supervisor is authorized to deposit and invest moneys which are not required for immediate expenditure, in accordance with General Municipal Law Section 11, and Local Finance Law Section 165.00.

7. STATE AID – NYS DIVISION FOR YOUTH

The Town Supervisor is authorized to make application to the New York State Division for Youth for State Aid for the Town of Dickinson during the year 2022.

8. OPENING BIDS

The Town Supervisor and/or the Town Clerk are authorized to open all bids received for items requiring bidding by the Town for the year 2022.

9. MILEAGE

Authorized Town officials and employees designated by the Town Supervisor are Authorized to use their automobiles for Town purposes, to be reimbursed at \$0.56 per mile when said costs are submitted on a voucher accompanied by an itemized statement of the nature of the expense.

10. ASSOCIATION OF TOWNS MEETING

The maximum expense for the Town Supervisor in attending the Annual Association of Towns meeting which will take place on February 20-23rd of 2022 is \$1500. A total of \$1500 is set aside to cover the cost of any Town Board member who attends the training session.

11. DESIGNATION OF DELEGATES TO ASSOCIATION OF TOWNS MEETING

Supervisor Michael A. Marinaccio is hereby designated as the official delegate of Town of Dickinson to the Annual Association of Towns meetings for 2022. Councilperson Stephen Gardner is hereby appointed as the alternate official delegate.

12. PURCHASE OR HIGHWAY EQUIPMENT; DEPUTY PUBLIC WORKS COMMISSIONER.

Pursuant to Section 142(1) (a) of the Highway Law, the Public Works Commissioner is authorized to purchase equipment, tools, and implements to be used for highway maintenance, construction or reconstruction, or snow removal without prior approval of the Town Board at a cost not to exceed \$6,999.99, provided the funds for said purchases are derived exclusively from the Highway Fund.

Pursuant to Town Law Section 32(2) of the Town Law, and subject to appropriation thereafter, there is established the office of Deputy Public Works Commissioner.

### 13. ADMINISTRATION AND SUPERVISION OF IMPROVEMENT DISTRICTS

Pursuant to Town Law Section 29(16), the Town Supervisor is delegated the powers and duties of administration and supervision of town or special improvement district functions.

### 14. TOWN PERSONNEL POLICIES

A copy of each of the Town personnel policies (including, but not limited to, sexual harassment policy, civil rights policy, Americans with Disabilities (ADA policy) shall be inserted in the first pay envelope of each employee every calendar year. In relation to any employee hired during the year, these policies shall be inserted in the first paycheck paid to the employee. Beverly Wike shall be named as compliance officer in this regard.

### 15. PETTY CASH

Petty cash funds are hereby established for 2022 for the following Town Officers Or Town Offices: Sewer and Water Clerk - \$200.00; Justice Court - \$150.00.

### 16. OFFICIALS AND EMPLOYEES.

The following officials and Employees are designated to serve in the respective Positions for the Town of Dickinson at the pleasure of the Town Board where no term is provided by law:

Code Enforcement Officer	Stephen Rafferty
Deputy Code Officer	Joel Kie
Dog Control Officer	Gregory Starley
Deputy to Assessor	Susan Cerretani
Deputy Clerk	Wendi Evans
Administrative Assistant	Beverly Wike
Historian	Kathleen Groover
Engineer for Town	Ronald Lake
Attorney for Town	Nathan D. VanWhy, Esq. (Coughlin & Gerhart)
Sewer & Water Clerk	Beverly Wike
Clerk(s) to the Justices	Stacy Thatcher & Bradley Wallace
Water & Sewer Superintendent	Matthew Fitzgerald
Constable	Joel Kie
Zoning Board Chair	Jeanne Compton
Planning Board Chair	Jerry Ford

Committee Assignments for 2022:

Finance Committee.....	Stephen Gardner
Personnel Committee.....	Stephen Gardner
Planning and Zoning Co-Chair/Committee.....	Michael Marinaccio
Planning and Zoning Co-Chair/Committee.....	Danny Morabito
Highway Co-Chair/Committee.....	Sharon Exley
Highway Co-Chair/Committee.....	Tom Burns
Code Chair/Committee.....	Michael Marinaccio
Code Co-Chair/Committee.....	Sharon Exley
Deputy Supervisor.....	Danny Morabito

17. SCHEDULE OF SALARIES.

The following schedule of annual salaries and hourly rates for the positions listed and payment thereof for the Town of Dickinson for the year 2022 is hereby authorized.

<u>Official/Employees</u>	<u>Salary/Hourly Rate</u>
Supervisor	\$25,505.00/year
Board Members (4)	\$10,784.00/year
Justices (2)	\$23,409.00/year
Public Works Commissioner	\$52,123.00/year
Water and Sewer Superintendent	\$62,400.00/year
Town Clerk	\$42,931.00/year
Sewer and Water Clerk	\$20,756.00/year
Deputy Town Clerk	\$18.00/hour
Court Clerk	\$42,000.00/year
Court Clerk	\$42,000.00/year
Assessor	\$22,500.00/year
Deputy Assessor	\$13,697.00/year
Code Enforcement Officer	\$18,289.00/year
Deputy Code Officer	\$7,415.00/year
Executive Assistant	\$45,023.00/year
ZBA Chair	\$982.00/year
ZBA Members (4)	\$794.00/year each
Laborer	\$20.50/hour
Laborer	\$20.00/hour
Laborer	\$20.00/hour
Planning Board Chair	\$1,945.00/year
Planning Board Members (4)	\$1,673.00/year each
Constable	\$2,000.00/year
Historian	\$1,034.00/year
Engineer for Town	\$7,730.00/year
Dog Control Officer	\$9,580.00/year

Premiums for Hourly Paid Employees	
Overtime	1 ½ x hourly rate
Holiday	2 ½ x hourly rate

18. TOWN BULLETIN BOARD/SIGN BOARD

The official Town Bulletin Board/Sign Board for all proper, legal and official notices shall be located on the wall inside the Town Clerk’s entrance to the Town Hall.

19. FEES PAYABLE TO CODE ENFORCEMENT OFFICER

All fees for licenses and permits issued by the Code Enforcement Officer shall be payable to and collected by the Town Clerk.

20. BIDDING POLICY AND PROCEDURES.

I. Objectives

The following policies and procedures governing the procurement of goods and services not subject to the bidding requirements of the General Municipal Law (GML) Section 103 are adopted pursuant to GML Section 104-b. The objectives of the Bidding Policy and Procedure of the Town of Dickinson are to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the Town of Dickinson, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and guard against favoritism, improvidence, extravagance, fraud and corruption. All procurement of goods and services by employees and officials of the Town of Dickinson shall be made in compliance with the following conditions:

II. Determining the Necessity for Competitive Bidding

Prior to the procurement of any goods or services by any employee or official on behalf of the Town of Dickinson, a determination shall be made whether such procurement is subject to competitive bidding. The procedure for making the determination shall be as follows:

A. It shall be determined whether the proposed procurement is a contract for public work or a purchase contract.

B. It shall be ascertained whether the proposed procurement is exempt from

competitive bidding for one of the following reasons:

1. The cost falls below monetary thresholds as set forth in General Municipal Law Section 103(1).
2. It is a case of public emergency as defined by General Municipal Law Section 103(4).
3. The contract is for professional services or involves professional skill or knowledge.
4. The contract is for a true lease of equipment.
5. The contract is for standardized equipment, materials or supplies previously awarded by the Town Board to a supplier pursuant to General Municipal Law Section 103(5).
6. The contract is for goods or services for which there is only one source available at the time the contract is entered into.
7. The procurement is to be made under County or State contract.
8. The procurement is to be made pursuant to Correction Law Section 186 or State Finance Law Section 175-b.
9. The contract is for surplus or second-hand supplies, materials or equipment to be purchased from the State of New York, any other political subdivision or public benefit corporation.
10. The contract falls within some other exemption from the Competitive bidding requirements recognized by the laws of the State of New York.

C. In the event there exists uncertainty as to the character or exemption status of the proposed procurement, advice and counsel of the Town Attorney and/or the Town Board shall be sought.

### III. Procedure to be Used When Competitive Bidding Not Required

- A. Each department within the Town shall maintain a Procurement Log which shall set forth the information and documentation required pursuant to this policy document. It shall be the responsibility of each department head to keep the

Procurement Log up to date. The Procurement Log shall be available for inspection upon demand by any member of the Town Board.

- B. In the event a procurement is determined to be exempt from competitive bidding, the procedures set forth in Resolution 29-2012, adopted June 11, 2012, a copy of which shall be provided to every department head and can be obtained from the Town Clerk, shall be followed.
- C. In the event a contract is awarded to other than the lowest dollar offer, it shall be set forth in the Procurement Log the justification and reasons such an award furthers the purposes of the Town of Dickinson bidding policy.

#### IV. Exemption by Act of the Town Board

- A. It shall be within the sole discretion of the Town Board to grant by resolution an exemption from the requirement that alternative proposals or quotations be obtained pursuant to paragraph II B.
- B. In exercising its discretion, the Town Board shall consider whether such exemption may be granted and is in the best interest of the Town of Dickinson.
- C. An exemption may be granted under any of the following circumstances:
  - 1. When a public emergency exists as defined by General Municipal Law Section 103(4).
  - 2. When the contract is for professional services or involves professional skills and knowledge.
  - 3. When the contract is for goods or services for which there is only one source available at the time the contract is entered into.
  - 4. When the contract is for goods or services for which a desired warranty or service contract is available from only one source at the time the contract is entered into.
  - 5. Under such other and further circumstances determined to be sufficient justification by the Town Board.



V. Noncompliance

The unintentional failure to comply with the provisions of this Bidding Policy and Procedure shall not be grounds to void action or give rise to a cause of action against the Town of Dickinson or any officer or employee thereof.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Ayes \_\_ Nays \_\_

Councilperson Stephen M. Gardner voting \_\_\_\_

Councilperson Sharon M. Exley voting \_\_\_\_

Councilperson Danny F. Morabito voting \_\_\_\_

Councilperson Thomas J. Burns voting \_\_\_\_

Supervisor Michael A. Marinaccio voting \_\_\_\_

Dated: January 10, 2022



**Town of Dickinson**

**Resolution No. \_\_\_\_\_**

**WHEREAS**, the Town of Dickinson Code Enforcement Officer issued a Condemnation Order determining that the structure located at 36 Pulaski Street, Binghamton, New York, Tax Map No. 143.51-1-22, is unsafe or dangerous to the public, pursuant to Chapter 244 of the Town Code of the Town of Dickinson, and has ordered it to be made safe and secure; and

**WHEREAS**, on October 4, 2021, the Town Board held a public hearing in regard to the structure at 36 Pulaski Street, Binghamton, New York; and

**WHEREAS**, by Resolution of the Town Board of the Town of Dickinson, dated October 12, 2021, the structure at 36 Pulaski Street was declared unsafe and dangerous to the public and ordered it to be immediately secured and made safe or demolished and removed; and

**WHEREAS**, at the request of the property owner of 36 Pulaski Street, a public rehearing was held on January 3, 2022 for the property owner to present evidence of the condition of the property and plans for future repairs to the property, and at which the said property owner did present such evidence;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act, it has been determined by the Town Board that this matter does not constitute an "action" as defined under the SEQRA regulations, and as such no further environmental review is necessary; and further

**RESOLVED** that the Town Board of the Town of Dickinson hereby affirms its prior determination that the structure at 36 Pulaski Street is unsafe and dangerous to the public and again orders it to be immediately secured and made safe or demolished and removed; and further

**RESOLVED** that within two (2) weeks of the date of this Resolution, the property owner must submit to the Town Board information for the engineering company that he has contracted for the repairs required to the structure at 36 Pulaski Street in order to proceed with the repair plans he presented to the Town Board; and further

**RESOLVED** that in the event of refusal or neglect of the property owner to comply with this Resolution and the Resolution dated October 12, 2021, the Town Board may take such actions necessary to secure and make safe or demolish and remove the structure, and shall assess such expenses to the property, without further notice to the property owner; and further

**RESOLVED** that this Resolution shall take effect immediately.

**CERTIFICATION**

I, Susan Cerretani, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held on this 10th day of January, 2022. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio \_\_\_\_\_

Councilperson Sharon M. Exley \_\_\_\_\_

Councilperson Thomas J. Burns \_\_\_\_\_

Councilperson Danny F. Morabito \_\_\_\_\_

Councilperson Steve M. Gardner \_\_\_\_\_

Town of Dickinson Seal

Dated: January 10, 2022

\_\_\_\_\_  
Susan Cerretani  
Town Clerk of the Town of Dickinson

**Town of Dickinson**

**Local Law No. \_\_\_ of the year 2021**

**A LOCAL LAW AMENDING CHAPTER 528 OF THE  
TOWN CODE ENTITLED "VEHICLES AND TRAFFIC"**

Be it enacted by the Town Board of the Town of Dickinson as follows:

Section 1: Section 528-35 "Schedule IX: No Parking At Any Time" of the Town Code is hereby amended by adding the following:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Orchard Road	Both	Cul-de-sac at dead end

Section 2: Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 3: Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4: Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.





No. 11.1

## EXECUTIVE ORDER

### Declaring a Disaster Emergency in the State of New York

WHEREAS, the COVID-19 global pandemic has been declared a Public Health Emergency of International Concern by the World Health Organization since early 2020;

WHEREAS, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19 on January 31, 2020;

WHEREAS, New York is now experiencing COVID-19 transmission at rates the State has not seen since April 2021;

WHEREAS, the rate of new COVID-19 hospital admissions has been increasing over the past month to over 300 new admissions a day;

WHEREAS, the state must pursue a coordinated approach to ensure hospital capacity statewide is able to meet regional needs;

WHEREAS, the State government must support the municipalities and counties in their efforts to facilitate and administer vaccinations and tests for COVID-19, and to prevent the virus from continuing to spread at such rates;

WHEREAS, a new SarCoV2 variant, known as Omicron, has been identified and named a variant of concern by the World Health Organization and the Centers for Disease Control and Prevention;

WHEREAS, this variant has been identified in all 50 U.S. states, including New York, and more than 104 countries;

WHEREAS, this Omicron variant has been shown to be highly transmissible and may cause exponential spread;

WHEREAS, current vaccinations do not appear to be as effective against Omicron infection, while remaining stronger against severe disease;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby continue the terms, conditions, and suspensions contained in Executive Order 11 until January 25, 2022.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through January 25, 2022 the following:

- Title V of Article 5 of the Public Health Law and subparts 19 and 58 of Title 10 of the NYCRR, to the extent necessary to allow laboratories holding a Clinical Laboratory Improvement Acts (CLIA) certificate and meeting the CLIA quality standards described in 42 CFR Subparts H, J, K and M, to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals in New York State;
- Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons. Provided however, that the governing body may, at its option, include in such resolution procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died;
- Article 7 of the Public Officers Law to the extent necessary to authorize the New York State Senate and Assembly, at their discretion, to meet and take such action authorized by law remotely by conference call or similar service and otherwise act in conformance with the provisions of Part B of Chapter 417 of the Laws of 2021, and expiring upon the expiration of such Chapter.



GIVEN under my hand and the Privy Seal of the  
 State in the City of Albany this  
 twenty-sixth day of December in the  
 year two thousand twenty-one

BY THE GOVERNOR

*[Signature]*  
 Secretary to the Governor

*Ruth Hochul*





