

December 12, 2016 – 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 12, 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 in attendance:

Oliver N. Blaise III, Esq., Town Attorney
Susan M. Cerretani, Town Clerk
Code Enforcement Officer Stephen Rafferty, Town Engineer Ron Lake,
Public Works Commissioner Joel Kie, Administrative Assistant Beverly
Wike, Zoning Board Chair Jeanne Compton, Planning Board Chair and
Town Historian David Wasser, Assessor and 6 members of the general
public.

CHAIR

SUPERVISOR'S REPORT

SUPERVISOR'S MONTHLY REPORT

December, 2016

- Supervisor Marinaccio stated that the next **Association of Towns & Villages Association** meeting will be held on December 15, 6:30 pm at **Little Venice** located on Chenango St. in Binghamton. This will be the **AOTV's** last meeting for 2016. No charge for members, guests will be charged \$18.00. No speakers. We will be nominating and voting for the 2017 officers.
- Reminder: Staff has submitted the 2017 Meetings Dates Schedule and Holiday schedule. Copies have been distributed to each of the board members for review. There is one change made for meeting dates. The work session will be on Tuesday, Jan. 3.
- Supervisor Marinaccio will be meeting with the **Land Bank** Executive, Margaret Scarinzi, in an effort to receive funds if we move forward to condemning various properties and demolishing them. 231 Bevier St. is first on the list.
- Mr. Marinaccio received a reply from the **Broome County Dept. of Economic Planning** (Sect. 239-I) regarding our amendment/revision of the dumping/fill

December 12, 2016 – REGULAR MEETING

SUPERVISOR'S REPORT CONTINUED:

provisions. They did not identify any significant countywide or inter-community impacts associated with the proposed project.

- Supervisor Marinaccio received a letter from the Sheriff's office indicating the per-diem payment rates payable to our Town for non-Broome County residents housed at the **Broome County Jail** for 2017-2018. The CPI increase from Oct. 2014 to Oct. 2016 is 1.8094%. Applying this increase to the current 2016 payment rates results in the following 2017-2018 per-diem and annual rates:

Per Diem will be \$8.33

Annual Payment will be \$41,593.00

- Supervisor Marinaccio attended the **NY Association of Towns Executive Board** meeting on Monday, Dec. 5. Mr. Marinaccio also attended the **Resolutions Committee** meeting which Mr. Marinaccio is also a member of. The Committee has finalized the Resolutions that will be submitted for review for the 2017 **AOT** meeting in New York City in February. Copies will be sent to everyone for review prior to the NY meeting.
- As the Supervisor indicated at Monday's Work Session, he 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. The bridge study, after 3 years, was completed and the study indicates that the **Walk Bridge** should be demolished. If this occurs, it will not take place for at least another 3-4 years. There will be a Public Hearing held by the **NYS Department of Transportation** sometime in January. One hearing here in the Town Hall and the other at the **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 has asked Town Clerk Susan Cerretani to place the link from the **NYS Department of Transportation** Study on the Town of Dickinson website so anyone can review it.

- **Code Violations:**

1. Reminder Notice sent to 909 Front St. on corrective action that they are required to take.
2. 515 Front Street – Car openly stored, no plates
3. 513 Old Front Street – Vehicle openly stored, not licensed
4. 13 N. Louisa – Basketball hoop installed in Town right of way

December 12, 2016 – REGULAR MEETING

SUPERVISOR’S REPORT CONTINUED:

5. 206 Bevier Street – Couch/furniture in yard
6. 21 N. Louisa – Basketball hoop installed in Town right of way
7. 217 Bevier Street – Van openly stored without license
8. 160 Bigelow Street – Roof, no building permit
9. 11 Terrace Drive – Pallets in yard, political sign under shrubs, garbage at side of house, poor property maintenance

Dog Control Report

I received both the village and town dog control reports from our officer for the month of October.

Dogs running loose in the town and village. **DCO** had to deal with an aggressive pit-bull on Chenango St. **DCO** was able to trap this very large pit-bull and transfer to dog shelter.

NYSEG Warning Letter:

No warnings issued

MEGA

Supervisor Marinaccio stated that he has done research on the **MEGA** program. He remarked that he is not sold on the program but will continue to have more discussions. His understanding is that once you sign up, the company does a study. If the study comes out positive, you are committed to move it forward. Mr. Marinaccio stated that there is no guarantee there will be savings for our residents. The Supervisor would like our residents to be able to make their own choice in respect to energy choices.

PUBLIC COMMENTS:

909 Front Street has received a code violation of a junk car on property. The resident has an emotional attachment to the car because it was allegedly involved in an accident involving her deceased son. Code Enforcement Officer is sympathetic to the resident and has granted a 15 day extension to the code violation.

COMMITTEE REPORTS

• **PUBLIC WORKS**

- Councilman Gardner reported that he and Public Works Commissioner Kie are working on improving communications in the field. They are investigating a new walkie talkie system for communications during emergency conditions or situations. Emergency Services is in the process of establishing a County wide

December 12, 2016 – REGULAR MEETING

system with one central command center. Councilman Gardner and Public Works Commissioner Kie are working on a cost effective plan to phase this in.

- **FINANCE**

- **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **November 2016 Monthly Financial Report** for the **Town Clerk** in the amount of **\$838.18** seconded by Councilwoman Exley. All in favor.

Town Clerk's Report
November 2016 in the amount of \$876.18:
<u>NYSDOH</u> <u>\$0.00</u>
<u>NYS Ag & Markets spay/Neuter program</u> <u>\$38.00</u>
<u>Supervisor Town of Dickinson</u> <u>\$838.18</u>

- **TOWN JUSTICE COURT MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the Justice Court October report seconded by Councilwoman Exley in the amount of \$31,884.58. All in favor.

- **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **October/November, 2016 Supervisor monthly report** seconded by Councilwoman Exley. All in favor.

- **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 12**, dated **December 12, 2016** in the amount of **\$134,347.95** Vote Ayes- 5, Nays-0, Absent-0.

Supervisor Marinaccio voting Aye

Councilman Gardner voting Aye

Councilwoman Exley voting Aye

Councilman Morabito voting Aye

Councilman Burns Aye

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$134,347.95.

December 12, 2016 – REGULAR MEETING

Voucher #12 for December 12, 2016 year in the amount of \$134,347.95:

<u>General Fund</u>	<u>\$44,952.81</u>
<u>Part Town</u>	<u>\$219.24</u>
<u>Highway</u>	<u>\$31,445.81</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$5,151.53</u>
<u>Refuse & Garbage</u>	<u>\$10,334.15</u>
<u>Sewer Operating Dist.</u>	<u>\$3,160.29</u>
<u>Water Operating Dist.</u>	<u>\$39,084.12</u>

- **PERSONNEL**
 - Nothing to report.

- **PLANNING**
 - Planning Board Chair David Wasser reported that at the Planning Board has two items on the agenda for the next meeting Monday, December 19. The Board will react to the 239 by the County on the Comprehensive Plan and will discuss re-zoning issues in the Prospect area.

APPROVAL OF MINUTES

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the **Work Session and Regular Meeting Minutes of November 7, 2016 and November 14, 2016**. All in favor.

Vote-5 Ayes, Nays-0, Absent-0.

CHAIR

AOTV MEETING

Supervisor Marinaccio stated that the next **Association of Towns & Villages Association** meeting will be held on December 15, 6:30 pm at **Little Venice** located on Chenango St. in Binghamton. This will be the **AOTV's** last meeting for 2016. No charge for members, guests will be charged \$18.00. No speakers. We will be nominating and voting for the 2017 officers.

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. The bridge study, after 3 years, was completed and the study indicates that the **Walk Bridge** should be demolished. If this occurs, it will not take place for at least another 3-4 years. 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

December 12, 2016 – REGULAR MEETING

Town Hall and the other at the **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 has asked Town Clerk Susan Cerretani to place the link from the **NYS Department of Transportation** Study on the Town of Dickinson website www.townofdickinson.com so anyone can review it.

ATTORNEY

RESOLUTION: DECLARING NEGATIVE ENVIRONMENTAL IMPACT PURSUANT TO SEQRA FOR 2017 WATER RATE ADJUSTMENT

RESOLUTION: ADOPTING 2017 WATER RATE ADJUSTMENT LOCAL LAW

RESOLUTION 2016-52

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: DECLARING NEGATIVE ENVIRONMENTAL IMPACT PURSUANT TO SEQRA FOR 2017 WATER RATE ADJUSTMENT

RESOLUTION: ADOPTING 2017 WATER RATE ADJUSTMENT LOCAL LAW

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, Absent-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 DECLARING NEGATIVE ENVIRONMENTAL IMPACT PURSUANT TO SEQRA AMENDING DUMPING PROVISIONS OF SOLID WASTE MANAGEMENT AND ZONING LAWS AND RESOLUTION ADOPTING LOCAL LAW AMENDING DUMPING PROVISIONS OF SOLID WASTE MANAGEMENT AND ZONING LAWS

December 12, 2016 – REGULAR MEETING

RESOLUTION 2016-53

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

RESOLUTION: DECLARING NEGATIVE ENVIRONMENTAL IMPACT PURSUANT TO SEQRA AMENDING DUMPING PROVISIONS OF SOLID WASTE MANAGEMENT AND ZONING LAWS
RESOLUTION: ADOPTING LOCAL LAW AMENDING DUMPING PROVISIONS OF SOLID WASTE MANAGEMENT AND ZONING LAWS

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, Absent-0.

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

All in favor. Resolution attached.

ADOPTING FIRE PROTECTION CONTRACT WITH PDFC

RESOLUTION 2016-54

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: ADOPTING FIRE PROTECTION CONTRACTS WITH PORT DICKINSON FIRE COMPANY.

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, Absent-0.

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

All in favor.

Signed contract to be sent to the Village of Port Dickinson for Mayor Burke's signature.

December 12, 2016 – REGULAR MEETING

SOLAR ENERGY

Attorney Blaise reported that the Solar Energy Committee met last week and discussed defining the areas where commercial solar farms would be permitted. The committee looked at an aerial map of the Town and broke it down into 2 zones west and east of route 81. Attorney Blaise will work on a draft of Local Law for discussion at the January meeting and present it to the Planning board and to the County for a 239 review in the spring.

SHARED SERVICES AGREEMENT WITH NY STATE

Attorney Blaise will send the shared service agreement back to the Jim Massar at the State and ask them to agree to a reciprocal revision (for a 4 year term) as they have for other municipalities.

RESOLUTION ACCEPTING TRUCK BID

RESOLUTION 2016-55

The following Resolution was offered by Councilwoman 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: ACCEPTING FORD F550 TRUCK BID AND AUTHORIZING PUBLIC WORKS COMMISSIONER KIE TO SIGN ALL PAPERWORK

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, Absent-0.

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

All in favor.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie reported on the proposed widening of Sowden Street. The State wants \$22,000 up front (attached to a work order) as worst case scenario and whatever portion that is not used will be refunded to the Town when the project is completed. The State will contact us with follow up paper work.
- Public Works Commissioner Kie reported that the recent snow events have been keeping his department very busy.

December 12, 2016 – REGULAR MEETING

PLANNING & ZONING BOARD

Planning Board Chairperson Jeanne Compton stated that the Microtel would like to raise their sign and extend it 10 feet. This will be subject to State DOT 239 approval.

CODE ENFORCEMENT

Supervisor Marinaccio remarked that an ongoing crisis has been resolved thanks to the cooperation of residents, Sheriff's Department, Code Enforcement and Town Board.

PUBLIC COMMENTS

None.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 6:44 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk