

April 11, 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, April 11, 2016 in the Town Hall, 531 Old Front St., Binghamton, NY.

The members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
Sharon M. Exley, Councilwoman
Danny F. Morabito, Councilman
Thomas J. Burns, Councilman**

Absent: Stephen M. Gardner, Councilman

Also attending:

**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, Beverly Wike, David Wasser,
Jeanne Compton
Residents: 2 Town of Dickinson residents**

PRESENTATION:

Paul Reynolds and Washington Vivero, **CMA Industries**, gave a presentation of the company's operation and utilization of technology that provides the public with enhanced 4G technology while raising revenue for municipalities.

CHAIR

SUPERVISOR'S REPORT

**SUPERVISOR'S MONTHLY REPORT
April 2016**

- The next **Association of Towns & Villages** meeting is now set for May 26, 6:30 pm location to be determined. Our guest speaker will be **NYS Deputy Comptroller Gabe Deyo** under **State Comptroller DiNapoli**.
- **County Executive Preston** held her first quarterly supervisors and mayors meeting on March 24. It was well attended. Discussions focused on shared services. Once again the landfill is offering various types of rock to the municipalities free of charge. It was stated that anyone who has not received their property tax rebate check from the state should call the state. It was announced that the **City of Elmira Public Works Dept.** consolidated with **Chemung County**. Elmira is going through very serious financial difficulties. I believe that Syracuse is considering doing the same with **Onondaga County**.
- I plan on attending the Annual Breakfast Meeting for **The Agency** on April 26.

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SUPERVISOR’S REPORT CONTINUED:

- I wrote a Testimonial letter on behalf of our **NYS Dept. of Transportation** for the high level of outreach and opportunities to provide feedback for the design and successful construction of the **Prospect Mountain** Phase 1 Project.
- We recently received a notice from Matt Coleman, Track Supervisor for **Norfolk Southern Railroad** that in about 2 months, they will need to close the road down that leads to the railroad crossing in order to make repairs. This should take about 1 week.
- We had our first **2016 Color Run** meeting on Tuesday, April 5. It looks like this will be another very successful event with the anticipation of around 5500 people participating. The event will take place at the **SUNY-Broome** campus on Saturday, May 7, starting at around 9 am. This year’s theme is Tropi-Color. The NYS Application for Permit has been submitted by me.

Code Violations:

- 707 Old Front St., Property Maintenance Code Violation, back of property unkempt, several bins scattered around property, tractors openly stored.
- 54 Sunrise Dr., Property Maintenance Code violation, various garbage items in front yard

Dog Control Report

I have received the March, 2016 Dog Control report for both the Village and the Town. In the Village, 2 stray dogs running lose, person running with pit bull without a leash in village park. In the Town, dog defecating in someone’s yard, dog running lose in Bevier St. area, 4 past due dog licenses, verbal warning was issued.

NYSEG Warning Letter:

No letters issued

PUBLIC COMMENTS

Supervisor Marinaccio opened the meeting to public comments. Hearing none, the comment period was closed.

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COMMITTEE REPORTS

• **PUBLIC WORKS**

- Nothing at this time.

• **FINANCE**

- **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **December** monthly report seconded by Councilman Burns. All in favor.

- **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **March Monthly Financial Report** for the **Town Clerk in the amount of \$1,299.99**. On a motion by Councilman Morabito seconded by Councilwoman Exley. All in favor.

Town Clerk’s Report	
March 2016 in the amount of \$1,299.99:	
<u>NYSDOH</u>	<u>\$22.50</u>
<u>NYS Ag & Markets spay/Neuter program</u>	<u>\$53.00</u>
<u>Supervisor Town of Dickinson</u>	<u>\$1,299.99</u>

- **TOWN COURT MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the Financial Report for the **Town of Dickinson Court** for the month of **March** in the amount of **\$46,049.00**. On motion of Councilman Morabito and seconded by Councilman Burns. All in favor.

ABSTRACTS FOR APPROVAL

On Motion from Councilman Morabito, seconded by Councilman Burns to approve **abstract # 4**, dated **April 11, 2016** in the amount of **\$281,996.77**. Vote Ayes- 4, Nays-0, Absent-1.

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

Unanimously passed and noted as duly adopted.

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Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$281,996.77.

Voucher #4 for April 2016 year in the amount of \$281,996.77:

<u>General Fund</u>	<u>\$56,187.61</u>
<u>Part Town</u>	<u>\$0.00</u>
<u>Highway</u>	<u>\$22,292.14</u>
<u>Fire districts</u>	<u>\$29,146.00</u>
<u>Light Districts</u>	<u>\$6042.33</u>
<u>Refuse & Garbage</u>	<u>\$0.00</u>
<u>Sewer Operating Dist.</u>	<u>\$147,709.01</u>
<u>Water Operating Dist.</u>	<u>\$20,619.68</u>
<u>Water Debt-Water Line/Replace/Repairs</u>	<u>\$0.00</u>

- **PERSONNEL**
 - Nothing to report at this time.

- **PLANNING**
 - David Wasser stated that the planning board will be meeting on April 25th. Work continues on the Comprehensive Plan.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley seconded by Councilman Burns to approve the **Work Session March 7, 2016 and Regular Meeting Minutes of March 14, 2016**. All in favor. Vote-4 Ayes, Nays-0, Absent-1.

CHAIR

NEWSLETTER

Supervisor Marinaccio noted that the 2016 Newsletter was mailed. The Supervisor has received positive feedback.

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ATTORNEY

RESOLUTION 2016-18

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

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

RESOLUTION: AUTHORIZING THE DISCONTINUANCE OF THE ISSUANCE OF HUNTING AND FISHING LICENSE SALES AT THE TOWN OF DICKINSON CLERK'S OFFICE.

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 – 4, Nays – 0, Absent-1.

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

All in favor.

The resolution will be forwarded on to Department of Environmental Conservation along with an opt-out letter from the town clerk.

RESOLUTION 2016-19

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

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

RESOLUTION: DESIGNATING MAY 21, 2016 AS MUNICIPAL CLEANUP DAY FOR THE TOWN OF DICKINSON.

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 – 4, Nays – 0, Absent-1.

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

All in favor. Resolution on file in the Clerk's Office. A copy of the resolution will be forwarded to Broome County.

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ZONING CHANGE APPLICATION FOR 220 AIRPORT ROAD

Attorney Blaise stated in regard to the 220 Airport Road zoning change request, we received the 239 comments back from the County. The County is concerned that proper safety precautions must be in place for environmental protection. The issue of spot zoning was raised. The Board will be deferring to the Planning Board for their consideration and comment and then the Board can make the final determination.

9 FOREST HILLS BLVD

Attorney Blaise stated that he did some research at the **County Clerk's** office and discovered that there is a mortgage on the 9 Forest Hills Blvd. property that has not been paid in a while. The bank foreclosed on the property and there is an \$80,858.31 debt attached to the property. Attorney Blaise commented that this may be a very opportune time to approach the bank and see what the bank wants to do with this property. Mr. Blaise remarked that the bank may not be aware of the condition of the property. Mr. Blaise will send pictures of the property to the bank's attorney.

DISSOLUTION OF GARBAGE DISTRICT

Supervisor Marinaccio stated that Attorney Blaise needs to prepare a proposed plan for dissolution of the garbage district and once that is in place the board will reach out to the residents with informational meetings and notices. From a tax bill prospective the plan should be set by October. Attorney Blaise stated that he will prepare a plan for the May work session.

UPDATING THE TOWNS ANIMALMANAGEMENT LAW

After reviewing and comparing the animal codes of surrounding towns, Attorney Blaise stated that the **Town of Chenango** was his preferred version. It caps the number of animals at 4 and provides for enforcement and nuisance factors. Attorney Blaise will prepare a draft similar to the **Town of Chenango's** code for review at the May work session.

SAMPLE LETTER ON MICROTEL

Attorney Blaise stated that the **Microtel** is nearing completion and that he and Public Works Commissioner Kie have been going over several concerns that need to be addressed before the Certificate of Occupancy can be issued. Attorney Blaise and Public Works Commissioner Kie will work with the Microtel's engineer and attorney to address those issues.

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ADAMS STREET PROPERTY

Attorney Blaise mentioned that the Adams Street property that has been a chronic recipient of property code violations has made some progress in cleaning up. Mr. Kie will pay a visit to inspect the property.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie will be removing the event signs located on the bank near the Microtel. The town mows the bank where these signs are located.
- Public Works Commissioner Kie presented photos of Republic Street. The photos show cars that are being parked on both sides of the street and creating a safety concern. Mr. Kie stated that a town resident is requesting a public hearing to consider no parking restrictions on this street. We will investigate R-2 group home at 232 Lower Stella Ireland Rd.

CODE ENFORCEMENT

Code Enforcement Officer Rafferty

PLANNING & ZONING BOARD

Code Enforcement Officer Rafferty received a call from Albany. The State wants to take the corner property of Adams/ Glenwood and partition into 4 lots. They want to keep 2 lots and sell 2 lots.

ANNUAL WATER QUALITY REPORT

Town Engineer Ron Lake reported that the annual water quality report is now available. It is posted on the signboard and on the town website and will be published in the legal section of the **Binghamton Press**.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:29 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk