

January 09, 2017 – 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, January 9, 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 M. Cerretani, Town Clerk**

Also in attendance: Code Enforcement Officer Stephen Rafferty, Town Engineer Ron Lake, Commissioner of Public Works Joel Kie, Zoning Board Chair Jeanne Compton, Planning Board Chair/Historian David Wasser, and 2 Town residents.

CHAIR

Supervisor Marinaccio asked for a moment of silence for Jackie Cahill, the wife of Town Assessor Jack Cahill, who passed away on Monday, January 2, 2017.

SUPERVISOR'S REPORT

January 2017 Supervisor Report

I want to thank our town board, the planning and zoning boards, our town judges and court staff, our assessing office, historian, code enforcement officers, our highway superintendent and his staff, town engineer, dog control officer, our town clerk's office, town attorney, and our Administrative Assistant and all others who contribute to the betterment of our town, for their great work and dedication to the town and it's residents.

January 09, 2017 – REGULAR MEETING

JANUARY 2017 SUPERVISOR REPORT CONTINUED:

We continue to experience many challenges, many of them due to state mandates. We continue to have the best roads and infra-structure in the county. We continue to have one of the busiest courts in the county. In spite of recent changes by NY State Building Codes, our code enforcement has been very effective in protecting our quality of life here in our town and at the same time, developing or revising our codes that will continue to make Dickinson one of the best places to live in Broome County.

In spite of the state imposed tax cap, we have maintained our tax rates at one of the lowest levels in the county while at the same time, preserved our residential services that are very important to those we serve. We continue to work as a team which helps us in the development and preservation of our beautiful town. We will continue to face challenges in terms of maintaining our services and infra-structure while at the same time, meeting the tax cap numbers. This is a balancing act: do we cut services and neglect our roads, neglect our hard working and dedicated staff, or do we meet the demands and expectations of our constituents? I am fully confident that we will make the right decisions that will benefit those we represent. A large step was taken with the elimination of the garbage district which did not have a negative impact on the residents who live within the district but did have a very positive impact on our ability to remain under the imposed tax caps. We will continue to monitor the former garbage district to make assurances that those who live there are conforming to property maintenance codes and having their garbage removed from their properties per our codes.

Even though we were not able to agree on a Public Works contract with the Village of Port Dickinson last year, we continued to work with the Village and offering them assistance in their day to day activities. I will welcome the day when the Village leaders come back to the table to begin renegotiating a contract that will greatly benefit the village residents.

I am extremely pleased with the outcome regarding 231 Bevier St. Team work prevailed in this issue which negatively impacted the surrounding neighborhood. Working with our sheriff's department was pivotal in closing this house and ending years of anguish for the neighbors. And a big thank you to our attorney for guiding us through this very sensitive issue and for assistance in code violations and in many other issues that the town is confronted with. There are other properties throughout our town that need to be addressed with the sane team work approach and I know that we will prevail.

There is much more work that needs to be done in our town. I am honored to be part of this great organization and I look forward to working with everyone on all town projects. Our town residents expect and deserve quality representation from those they elect to public office and I believe that we continue to fulfill that obligation.

Michael Marinaccio Supervisor, Town of Dickinson

January 09, 2017 – REGULAR MEETING

SUPERVISOR'S MONTHLY REPORT

January, 2017

- The next Association of Towns & Villages Association meeting will be held on January 26, 6:30 pm, at DeGenarro's in Endicott. Flyers have been emailed to all the members and all the town and village clerks. The 2017 AOTV officers will take the Oath of Office which will be administered by Judge Ferris Lebous.
- Supervisor Marinaccio had a lengthy discussion 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. Ms. Scarinzi stated that she is waiting to see what her budget will be for 2017 and then get back to me.
- Just a reminder that the **NYS Department of Transportation** will be conducting a Public hearing here at our town hall on Jan. 17 starting at around 6 pm. Supervisor Marinaccio encourages all of you to attend this hearing.
- Supervisor Marinaccio will be on the Bob Joseph Show on Wednesday, January 11 at around 10:30 am. Mr. Marinaccio is certain that much of the discussion will focus on the walk bridge.
- Supervisor Marinaccio plans on attending the Broome County Promise Zone Initiative Community Group event which be held at **BOCES** on January 25, starting at around 8 am. This is in support to connect students, families, businesses, governmental representatives and our community at large to continue a community focused on success for all.
- **Code Violations:**
 1. 157 Glenwood Rd., property maintenance, gutter and Fascia on garage falling off, garbage in yard, shopping carts in yard, unlicensed truck openly stored.
 2. Appearance ticket issued to 51 Sunset Dr., property maintenance code violation, chair at curb and not picked up.
 3. Appearance ticket issued to 909 Front St., junk car openly stored

January 09, 2017 – REGULAR MEETING

SUPERVISOR’S MONTHLY REPORT CONTINUED

Dog Control Report:

Supervisor Marinaccio has not received the report as of today.

NYSEG Warning Letter:

No warnings issued

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

On a motion by Councilwoman Exley, seconded by Councilman Burns to approve the **December 5, 2016 Work Session Minutes and December 12, 2016 Regular Meeting Minutes**. All in favor. Vote Ayes-5, Nays-0

COMMITTEE REPORTS

- **FINANCE**

ABSTRACT FOR APPROVAL

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve abstract #13 (dated December 31, 2016) in the amount of **\$78,843.36** and abstract #1 (dated January 9, 2017) in the amount of **\$164,356.32**. Vote Ayes – 5, Nays – 0.

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

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount of **\$78,843.36** and **\$164,356.32**.

Voucher #13 for December 31, 2016 in the amount of \$78,843.36

<u>General Fund</u>	<u>\$8,976.37</u>
<u>Part Town</u>	<u>\$0.00</u>
<u>Highway</u>	<u>\$38,578.05</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$0.00</u>
<u>Refuse & Garbage</u>	<u>\$10,314.15</u>
<u>Sewer Operating Dist.</u>	<u>\$2,916.34</u>
<u>Water Operating Dist.</u>	<u>\$18,058.45</u>

January 09, 2017 – REGULAR MEETING

Voucher #1 for January 9, 2017 in the amount of \$164,356.32

<u>General Fund</u>	<u>\$75,544.43</u>
<u>Part Town</u>	<u>\$1,420.00</u>
<u>Highway</u>	<u>\$7,428.00</u>
<u>Fire districts</u>	<u>\$64,218.00</u>
<u>Light Districts</u>	<u>\$234.81</u>
<u>Refuse & Garbage</u>	<u>\$0.00</u>
<u>Sewer Operating Dist.</u>	<u>\$10,190.85</u>
<u>Water Operating Dist.</u>	<u>\$5,320.23</u>

MONTHLY FINANCIAL REPORTS

TOWN CLERK MONTHLY FINANCIAL REPORT

Councilman Morabito made a motion to accept the **December 2016 Monthly Financial Report** for the **Town Clerk in the amount of \$1,554.84**. On a motion by Councilman Morabito, seconded by Councilman Gardner. All in favor

Town Clerk's Report

December 2015 in the amount of: \$ 2,213.09

<u>NYS DOH</u>	<u>\$22.50</u>
<u>NYS Ag & Markets spay/Neuter program</u>	<u>\$47.00</u>
<u>State Comptroller</u>	<u>\$15.00</u>
<u>State Comptroller for Bingo Licenses</u>	<u>\$573.75</u>
<u>Supervisor Town of Dickinson</u>	<u>\$1,554.84</u>

SUPERVISOR'S MONTHLY FINANCIAL REPORT

No report this month.

• **PLANNING**

- Planning Board Chair David Wasser stated there will be a Planning Board meeting on January 23rd. A Public Hearing will be scheduled after the board members have reviewed the Comprehensive Plan draft and the County's recommendations.
- Kathy Wood Groover has been assisting Town Historian David Wasser in meeting with Eleanor Haines, a former longtime resident of **Sunrise Terrace**, who is proving to be a great source of history of **Sunrise Terrace** and the Town of Dickinson. Kathy is scanning old documents and newsletters into the computer system with a plan to make them accessible to the public online in the future.

January 09, 2017 – REGULAR MEETING

- **PUBLIC WORKS**

- Councilman Gardner reported that the Town Emergency Preparedness Plan will be in place within the next several months.
- Councilman Gardner noted that in this month's audit report there are salt and winter expenditures. Councilman Gardner reported that there is a new plow on one of the highway trucks and the Highway Department is prepared for the balance of winter.

CHAIR

NEWSLETTER

Supervisor Marinaccio encouraged the board and staff to start working on articles for the 2017 newsletter as soon as possible.

THE COLOR RUN

Supervisor Marinaccio stated that the Color Run is scheduled for April 2, 2017. Tickets are on sale online.

PROSPECT TERRACE OATH OF OFFICE

Supervisor Marinaccio stated that the Prospect Terrace Oath of Office event date has not yet been scheduled but typically takes place in February.

MEGA

Supervisor Marinaccio continues to investigate **MEGA**, a community energy program that enables local governments to aggregate electricity demand within their jurisdictions in order to procure alternative energy supplies while maintaining the existing electricity provider for transmission and distribution services, in order to determine whether it would be beneficial to our residents. Mr. Marinaccio and several of the board members are skeptical of the program particularly because they are not comfortable with the 'opt out' requirement and there is no guarantee of saving money. The board members would like to keep government out of residents' choice for energy solutions. Supervisor will continue to follow up with other municipalities for input on the program.

January 09, 2017 – REGULAR MEETING

AOTV MEETING

The **Broome County Association of Towns & Villages** meeting will be held on January 26th at **DeGennaro's Restaurant**, 300 Hill Avenue, Endicott. The 2017 **AOTV** officers will be taking the Oath of Office which will be given by Judge Ferris Lebus. Jason Garner, our newly elected county executive will be our guest speaker.

ATTORNEY

RESOLUTION: ADDRESSING ORGANIZATIONAL MATTERS FOR TOWN OPERATIONS IN 2017.

Supervisor Marinaccio indicated that here was a revision in the Organizational Resolution in that the mileage reimbursement was changed from \$0.57 per mile to the **IRS** rate of \$0.535. For future year's reference, Attorney Blaise recommended that the board incorporate the mileage rate into the resolution payable at the **IRS** rate.

RESOLUTION 2017-1

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: ADDRESSING ORGANIZATIONAL MATTERS FOR TOWN OPERATIONS IN 2017.

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

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.

January 09, 2017 – REGULAR MEETING

RESOLUTION 2017-2

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: ADOPTING BETTERMENT AGREEMENT WITH NYSDOT FOR THE PURPOSE OF WIDENING SOWDEN STREET.

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

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. Copies to be mailed to NYSDOT.

REPORTING RESOLUTION FOR RETIREMENT SYSTEM

The resolution approving the reporting resolution for Town employees and officials to New York State Retirement System will be held over until next month.

RESOLUTION 2017-3

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: ADDING TOWN OF CHENANGO RESIDENTS ON FOREST HILLS BLVD TO TOWN OF DICKINSON WATER AND SEWER BILLING AND ADDING CAPITAL IMPROVEMENT CHARGE ONTO THEIR NEXT BILL.

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

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

All in favor.

January 09, 2017 – REGULAR MEETING

PROSPECT TERRACE FIRE COMPANY

The resolution accepting Prospect Terrace Fire Company membership roster will be held over to February.

HIGHWAY DEPARTMENT ADMINISTRATIVE

Public Works Commissioner Kie reported that the annual yard waste schedules will be mailed out to residents in the next week or two.

Mr. Kie reported that Code Enforcement is keeping a watchful eye on the Prospect Terrace area for code violations since the Garbage District has been dissolved. The Garbage District was dissolved as of January 1, 2017 and residents must now contract with their own garbage service provider.

Commissioner Kie reported that **Lancaster Development**, a subcontractor for **New York State DOT**, signed a permit for metered water usage for the curing process for the bridge they are constructing on Route 17 over Glenwood Rd. **Lancaster Development** has used \$4,000 worth of water and do not want to pay. Mr. Kie stated that he wrote a letter to DOT asking for their assistance. Supervisor Marinaccio also spoke with Jack Williams, **Regional Director of New York State Department of Transportation** regarding this.

Supervisor Marinaccio stated that he spoke with Jack Williams, Regional Director of **NYS DOT** regarding the **Pedestrian Walk Bridge**. Mr. Marinaccio stated that Mr. Williams is a little upset about the press the walk bridge is getting in that he says the focus is not on the demolition of the walk bridge but on the new replacement bridge to be built over Rt. 81. Once the new bridge is built a determination will be made on the walk bridge – whether it will be demolished, repaired or replaced. Mr. Williams informed Mr. Marinaccio that it is a matter of funding and we should contact Senator Schumer. Supervisor Marinaccio and Councilman Morabito remarked that there is a lot of confusion and hopefully it will all be explained at the public meeting on Tuesday, January 17th.

Mr. Marinaccio stated that public notices regarding the DOT meeting scheduled for January 17th were distributed by NYS DOT to only a select few residents – those residents on Adams Drive and residents within ¼ of a mile of the pedestrian walk bridge. Town Clerk Susan Cerretani requested additional flyers from **DOT**. Supervisor Marinaccio asked **Sunrise Terrace Association** contact Kim Olson to ask street captains to help distribute the flyers to Sunrise Terrace residents. We want all of our residents to be informed.

Public Works Commissioner Kie reported that Councilman Exley researched deeds and didn't find an easement for the pipe at BCC. Mr. Kie stated that this implies that the County owns the pipe. Mr. Kie stated that the Town of Dickinson has maps, the County doesn't. If it is the County's, they have to pay for improvements. Mr. Kie stated that after the pipe is laid down, he believes the County will want the Town to take it over.

January 09, 2017 – REGULAR MEETING

ZONING BOARD

Zoning Board Chair Jeanne Compton remarked that the **Microtel** sign is low. The **Microtel** must apply for a variance to extend the height of the sign.

CODE ENFORCEMENT

Nothing to report at this time.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:08 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk