

## January 8, 2018 – 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 8, 2018 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  
Town Assessor Jack Cahill, 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,  
Kathy Groover and 1 member of the general public.

### CHAIR

### SUPERVISOR'S REPORT

#### SUPERVISOR'S MONTHLY REPORT January, 2018

1. Supervisor Marinaccio attended the County Legislative Committee meeting at the county building to address the **BDC** issue on Wednesday, Dec. 27, 4 pm. As most of you are aware, the legislature passed the resolution to accept money from the state to begin operations for the drug abuse center which will be located at **Broome Developmental Center**.
2. As most of you are aware, there was an article in Sunday's newspaper regarding heavy increases in charges to the municipalities that use the **Binghamton/Johnson City Sewage Treatment Plant**. Our Town should expect an increase of 62% starting around 2019. We will review the impact on our residents and on our sewer department operations and come up with a plan that will best serve our town.
3. The Supervisor attended the December 28th County Executive quarterly meeting. Attendance was good but not all municipal leaders were present. Discussions included shared services summary, contractor registration status, and grant funding for rural communities.
4. All town board members received a full copy of the January Organization information for review. Any changes, discussions, etc. can take place at today's meeting.

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### SUPERVISOR'S REPORT CONTINUED:

5. Reminder: A Grand Opening Ceremony for the **Agency** building located at the **SUNY-Broome** campus is scheduled for 4 pm on January 10th. Supervisor Marinaccio will be making some remarks at this event.
6. Supervisor Marinaccio has not received any word on a date for this year's **Color Run**.
7. A date has been scheduled for the **Annual Prospect Terrace Fire Company Oath of Office** event. It will be Saturday, February 3rd, same time as usual. Senator Akshar and Assemblyman Crouch will be attending. Supervisor Marinaccio will be attending the **Chenango Fire Company Annual Dinner Dance and Award Banquet** which will take place on January 27th.
8. Supervisor Marinaccio received a post card from **NYSEG** informing him and other residents that a contractor will be pruning or removing trees and tall-growing shrubs near power lines in this area.
9. At this time and date, no meeting notice for the **BC Association of Towns & Villages** has been submitted for a January meeting.
10. Mr. Marinaccio would like to recognize the great work that our public works staff has done addressing ice and snow on our roads plus working on a water line break that occurred on Sowden St. during the recent holidays.
11. The **BOCES** house may be moved to its permanent location on Glenwood Rd. by the end of this month. They are looking for additional sites for future home locations. They prefer our Town.
12. The renewal contract for water supply from the **Town of Chenango** is ready to be signed. Water rates remain the same.
13. I will be conducting another **BU Government Class** on February 1st, around 5 pm. I look forward to talking to the students about our town and how local governments conduct business and serve its constituents.

**Code Violations Report:** None to report as of this writing

### Dog Control Report

The Dog Control Monthly report has been submitted for December. Dog fight, stray dogs, aggressive dogs, etc. All issues were resolved.

### NYSEG Warning Letter:

No warning letters issued to property owners by **NYSEG** this month

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**SUPERVISOR’S REPORT CONTINUED:**

**PUBLIC COMMENTS**

None

**RESOLUTION 2018-1**

The following Resolution was offered by Councilman Gardner, 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: APPOINTING SHARON EXLEY TO THE TOWN BOARD FOR THE REMAINDER OF HER TERM**

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-0.

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

All in favor.

**COMMITTEE REPORTS**

• **PUBLIC WORKS**

- Councilman Gardner noted that the Public Works Department did a great job salting the roads and repairing the recent water main breaks. Councilman Gardner would like to formulate a proposal to take to Senator Akshar in the coming weeks. Mr. Marinaccio replied that he recently spoke with the Senator and he will set up a meeting.

• **FINANCE**

- **TOWN CLERK MONTHLY FINANCIAL REPORT**  
Councilman Morabito made a motion to accept the **December, 2017 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,236.38**, seconded by Councilman Burns. All in favor.
- **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 **November, 2017** in the amount of **\$57,816.00**. On a motion of Councilman Morabito and seconded by Councilman Burns. State -\$47,136.00 County - \$1,312.50 Town - \$9,215.50 Other - \$152.00  
All in favor.

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○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 13** dated **December 31, 2017** in the amount of **\$86,315.40**.

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 \$86,315.40.**

**Voucher #13 for December 31, 2017 year in the amount of \$86,315.40:**

<b><u>General Fund</u></b>	<b><u>\$53,949.07</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$14,604.68</u></b>
<b><u>Fire Districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$98.30</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$1,887.41</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$15,775.94</u></b>

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 1** dated **January, 2018** in the amount of **\$313,889.21**.

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 \$313,889.21.**

**Voucher #1 for January, 2018 year in the amount of \$313,889.21:**

<b><u>General Fund</u></b>	<b><u>\$81,834.33</u></b>
<b><u>Part Town</u></b>	<b><u>\$2,670.00</u></b>
<b><u>Highway</u></b>	<b><u>\$19,920.03</u></b>
<b><u>Fire Districts</u></b>	<b><u>\$16,091.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$237.81</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$186,082.90</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$7,053.14</u></b>

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- **PERSONNEL**
  - Nothing to report.
- **PLANNING**
  - Chairman Wasser reported that there will be a planning board meeting Monday, January 22<sup>nd</sup> at 6 pm.

### **APPROVAL OF MINUTES**

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the **December 4, 2017 Work Session Minutes and the December 11, 2017 Regular Meeting Minutes**. All in favor.  
Vote-5 Ayes, Nays-0, Absent-0.

### **CHAIR**

## **January, 2018** **Supervisor Review of 2017**

I want to thank our Town Board, the Planning and Zoning Boards, Town Judges and Court Staff, Assessor's Office, Town Historian, Code Enforcement Officers, Highway Superintendent and Staff, Town Engineer, Dog Control Officer, 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.

We continue to experience challenges, many of them due to state mandates but through great team work we always seem to overcome those challenges.

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 continues to be very effective in protecting our quality of life here in our town and at the same time, developing or revising our codes that will make Dickinson one of the best places to live in Broome County.

I want to especially thank our Public Works staffs led by Joel Kie, who as always, have done a fantastic job in maintaining our roads, infra-structure, and our quality of life here in the Town of Dickinson.

I would be remiss in not acknowledging our Executive Assistant Bev Wike for her total dedication to our town and its operations in spite of some challenges that she faced this year.

You need to spend a day or two observing our Court staff, Clerical staff, Bev, our Public Works staff and others to really appreciate the great work that they do.

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**SUPERVISOR’S 2017 REVIEW CONTINUED:**

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. In regard to the state imposed tax cap; 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 have made the right decisions that benefit those we represent.

A little while back we eliminated 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.

Even though we were not able to agree on a Public Works contract with the Village of Port Dickinson, 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 and not impose a burden on our town 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, our attorney and our code enforcement officers, along with the Land Bank, the condemned house was demolished. There are other properties throughout our town that need to be addressed with the same 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

**PROSPECT TERRACE OATH OF OFFICE**

The annual Prospect Terrace Fire Company Oath of Office is scheduled for Saturday, February 3<sup>rd</sup>. Senator Akshar and Assemblyman Crouch will be attending. Supervisor Marinaccio asked those who plan on attending contact him and he will forward the replies on to Jason Delanoy of the Prospect Terrace Fire Company.

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**ATTORNEY**

**ADOPTION OF THE 2018 ORGANIZATIONAL RESOLUTION**

**RESOLUTION 2018-2**

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: ADOPTING THE 2018 ORGANIZATIONAL RESOLUTION**

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. Copy on file.

**RESOLUTION 2018-3**

The following Resolution was offered by Councilman Gardner, 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 A CCA LOCAL LAW TO ENTER INTO A COMMUNITY CHOICE AGGREGATION AGREEMENT WITH MEGA AS AGENT FOR THE TOWN.**

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.

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**RESOLUTION 2018-4**

The following Resolution was offered by Councilman Burns, 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 A WATER SERVICE AGREEMENT WITH THE TOWN OF CHENANGO.**

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.

**PUBLIC WORKS**

- Public Works Commissioner Kie took the opportunity to thank his crew for their hard work.
- Mr. Kie met with representatives of the **Department of Transportation** regarding adding a bike path to Old Front Street.
- **DOT** is working on a plan to possibly reconfigure the Exit 5/Front Street intersection.
- **DEC** is requiring the Binghamton Brickyard to correct some issues.

**ZONING**

Chairperson Compton stated a public hearing will be held on January 23rd, 2018 at 7:00 P.M. for the purpose of considering a special permit for the **Microtel** for a variance to exceed the sign height requirement by ten feet. Code Enforcement Rafferty stated that the sign cannot blink or flash.

**CODE ENFORCEMENT**

Code Enforcement Officer Rafferty reported that he received a partial application for a special permit for **BOCES**. The plans are for a new building on Glenwood Road north and on the opposite side of the **BOCES** complex. The plans are for an administrative building and needs a special permit. Mr. Rafferty stated that for the Square footage of the building it requires 3 loading areas. Mr. Rafferty suggested that they apply for a variance to eliminate the loading space. The plans are for a one story, ten thousand square foot administrative building.



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**BINGHAMTON-JOHNSON CITY JOINT SEWAGE TREATMENT FACILITY**

A discussion was held regarding the **Binghamton-Johnson City Sewage Treatment Plant**. The four year upgrade project started two years ago. The project estimate initially was \$90 million dollars. That number is expected to triple. The Town of Dickinson can expect an increase of 62 percent in its rates in the next year or two.

**PARKING ON REPUBLIC STREET**

Supervisor Marinaccio noted a lesson learned after the Republic Street public hearing – the town should call a neighborhood meeting when neighbors need to discuss a solution to a problem.

**PUBLIC COMMENTS**

Resident Jim Love commented that he spoke with Assessor Cahill regarding **The Agency**. **The Agency**, a not-for-profit, is an asset to the town. It is not bringing in revenue to the town but it is not costing the town anything.

Kathy Groover, the treasurer of the **Sunrise Terrace Association**, informed the board that the **STA** will hold a meeting on January 17<sup>th</sup> at 7 pm in the Town Hall to discuss the status and the future of the **Sunrise Terrace Community Center** building which has been placarded because of structural deficiencies and safety concerns.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:00 PM.

Respectfully submitted,

Susan M. Cerretani  
Town Clerk