

November 13, 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, November 13, 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 in attendance:

Oliver N. Blaise III, Esq., Town Attorney
Susan M. Cerretani, Town Clerk
Code Enforcement Officer Stephen Rafferty, Public Works Commissioner
Joel Kie, Zoning Board Chair
Jeanne Compton, Assessor
Jack Cahill, Planning Board Chair and Town Historian
David Wasser, Administrative Assistant
Beverly Wike, and 2 members of the general public.

CHAIR

SUPERVISOR'S REPORT

SUPERVISOR'S MONTHLY REPORT November, 2018

1. Supervisor Marinaccio met with the **Sunrise Terrace Community Association** officers regarding the possible takeover of the **Community Center** building. It appears that all of the officers are in agreement for the town to take over the building. There was discussion on the desire to keep the Association intact. The association officers will begin reaching out to the **Sunrise Terrace** residents for their input. Letters will be mailed to the membership and an information meeting will be held by the Association here at the town hall.
2. The next **AOTV** meeting is scheduled for November 15th at Atrio. Guest speaker will be the Executive Director of the **BC Office of the Aging**, Lisa Schuhle.
3. Bev Wike and Supervisor Marinaccio attended the **Mentoring Day Breakfast** held at **BOCES**. Mr. Marinaccio later joined Assemblyman Crouch at his office and they discussed town government and state government operations.
4. Supervisor Marinaccio attended the **SUNY Broome** ribbon cutting for their new Calice Advanced Manufacturing Center.
5. Regarding the **DASNY** \$50,000 Grant, Mr. Marinaccio spoke with the **Department of Transportation** regarding the placing of the information marquee at the Front St. and Old Front St. intersection. The Supervisor was informed that illuminated signage is not allowed there. We are ready to resubmit the projects. This has been a 2 year work in process project. The projects remain the same but Mr. Marinaccio wants to make sure that the town board is fully aware of what

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SUPERVISOR’S REPORT CONTINUED

will be submitted. Supervisor Marinaccio added the labor cost to the retainer wall project:

Messaging Board.....\$17,160.00 tentative location, where the Sunrise Terrace sign is now located.
Retainer Wall.....\$7,300.00 (completed)
Automatic Doors, both entrances.....\$29,765.00
Total.....\$54,225.00

6. Supervisor Marinaccio stated that it looks like we are very close to finalizing our cemetery funds and being able to utilize those funds in maintaining the cemetery. Thank you to Bev Wike for her hard work on this project.
12. Supervisor Marinaccio spoke with City Councilman Giovanni Scaringi and informed him that Public Works Commissioner Kie will place some temporary stop signs at the Market St. intersection so both the city and the town can make some observations on how effective they are. The Councilman was in agreement.
13. Supervisor Marinaccio continues to have conversations with Mr. David Witzling, the new owner of the 3 store plaza on Front St. formerly owned by Marc Newman. Mr. Witzling is looking for ideas on what type of businesses will do well there. He has also offered **Starbucks** additional room to expand their store and make it a **Starbucks Reserve** store.
14. Supervisor Marinaccio reviewed the charges on the Town Credit Card accounts and found no issues.
15. Supervisor Marinaccio met with Professor Snyder from **SUNY-Broome** in regards to a possible greenhouse project on the campus. They are conducting a feasibility study which could take a year or so. They are looking at several options: build a roof top greenhouse or on the ground greenhouse. Supervisor Marinaccio strongly recommended that **SUNY-Broome** partner with **Cornell Cooperative** on this project.
16. Supervisor Marinaccio mentioned that there was a rumor that **McDonalds** on Old Front Street would be losing their lease agreement with **Speedway**. Mr. Marinaccio called **McDonalds Corporate** and was told that there were no plans on moving the store.
17. Supervisor Marinaccio stated that there is a new **Government Affairs Director** for **Charter Communications**. Lauren Kelly will be the person we meet with for our franchise agreement and other issues relating to the town.

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SUPERVISOR’S REPORT CONTINUED

18. Supervisor Marinaccio attended the **New York State Summit** meeting held at **Cornell Cooperative Extension Farmers Market** on October 25th. The summit was well attended and conducted by the **NYS Agriculture and Market Commissioner** and the **NYS DEC Commissioner**, along with various forestry and wood products representatives and various professors from **Cornell University** and a few community college representatives. Our New York State Senator and Assemblyperson were present as well as the Broome County Executive. The focus was on the sustainable opportunities with our forests and the obstacles that wood product industries face in dealing with various state permits. They also talked about the increasing deer population and how the deer are having a very negative impact on the forests.
19. **Note: Under the law, the fire company is required to purchase/pay for the cancer insurance policy and then, presumably, include that cost in their agreement with the Town. It is important to note that coverage does not need to be purchased for every member of the fire company, but only those who are active/recent interior firefighters.**

Code Violations Report:

- Stop work order issued to 108 Old State Rd. No building permit issued.

Dog Control Reports

The Dog Control Officer report for October for both the town and village was submitted:

- Complaint about neighbor’s dog in their yard
- Stray dog loose on Chenango St.
- Unlicensed dog
- Dogs running loose
- Total of 7 calls listed

The September report indicates 8 calls/investigations took place between the village and the town. Strays, dogs running loose, dog chasing woman, dog hit by car, injured dog on Glenwood Rd.

NYSEG Warning Letter:

No warning letters issued to property owners by NYSEG this month

Next Meeting

Our next Board meetings will be on Monday, December 3, 5:30 pm.

PUBLIC COMMENTS

An Adams Drive resident voiced concerns regarding the vacant, deteriorating property located at 127 Adams Drive. Mr. Marinaccio replied that he talked to Director of Broome County Real Property David Hamlin and was told come February the house will be in total

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default. The County will take it over, contact us and possibly sell the property to the town for \$1.00. Then the determination must be made whether to fix or demolish the building. Mr. Marinaccio has contacted the **Land Bank** for assistance and will make sure the County Executive is on notice. Supervisor Marinaccio stated that it is not fair to the street nor the neighborhood to have this property remain in this condition. Assessor Cahill, having been the former Director of Real Property, will help with the follow through.

COMMITTEE REPORTS

• **PUBLIC WORKS**

- Councilman Gardner reported that the Highway Department has completed repair work on some streets in Sunrise Terrace.
- Today was the last day for yard waste pickup and the highway crew will be vacuuming leaves until they are all up.
- Mr. Gardner reported that the Highway Department is getting ready for winter.

• **FINANCE**

○ **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **September, 2018 Supervisor monthly report** seconded by Councilman Burns. All in favor.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **October 2018 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,758.03** seconded by Councilwoman Exley. All in favor.

○ **TOWN COURT MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the Financial Report(s) for the **Town of Dickinson Court** for the month of September, 2018 in the amount of **\$45,870.50**. On a motion of Councilman Morabito and seconded by Councilman Gardner. State -\$38,225.00 County - \$547.50 Town - \$7,052.00
All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 11**, dated **November 13, 2018** in the amount of **\$479,598.47**

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 \$479,598.47.

Voucher #11 for November 13, 2017 year in the amount of \$479,598.47:

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<u>General Fund</u>	<u>\$122,355.39</u>
<u>Part Town</u>	<u>\$2,444.00</u>
<u>Highway</u>	<u>\$26,750.63</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$5,122.61</u>
<u>Sewer Operating Dist.</u>	<u>\$222,376.02</u>
<u>Water Operating Dist.</u>	<u>\$100,549.82</u>

- **PERSONNEL**
 - Nothing to report.
- **PLANNING**
 - Chairman Wasser reported that there will be a Planning Board Meeting on Monday, November 19 at 6 PM. On the agenda is a 50+ Community discussion to develop a draft to add to the Comprehensive Plan and be approved by the Town Board as an amendment to it.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley seconded by Councilman Burns to approve the **Work Session and Regular Meeting Minutes of October 1, 2018 and October 09, 2018**. All in favor.

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

2019 MEETING DATES AND HOLIDAY SCHEDULE

Supervisor Marinaccio will have the updated schedules made available to the board members at next month's meeting.

3rd QUARTER SALES TAX

\$248,820.50 this quarter

\$681,905.77 year to date

CHECK FROM JAIL

The Town is in receipt of a check from the Jail in the amount of \$18,000.

CHAIR

AGENDA TOPICS WERE COVERED IN THE SUPERVISOR'S REPORT

ATTORNEY

RESOLUTION ADOPTING 2019 BUDGET

Attorney Blaise stated that a Public Hearing was held at last week's work session regarding the 2019 Budget.

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RESOLUTION 2018-32

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 THE 2019 BUDGET

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. Budget available in the Clerk's Office.

RESOLUTION AMMENDING TEMPORARY SIGN CODE

RESOLUTION 2018-33

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: AMMENDING TEMPORARY SIGN CODE

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. Local Law #4 to be filed with the Department of State.

RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGNHAMTON FOR PARKING ENFORCEMENT SERVICES

RESOLUTION 2018-34

The following Resolution was offered by Councilwoman 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:

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RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR PARKING ENFORCEMENT SERVICES

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. Agreement filed in Clerk's office.

RESOLUTION APPROVING INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR WATER SUPPLY

RESOLUTION 2017-35

The following Resolution was offered by Councilwoman Morabito, 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: APPROVING INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR WATER SUPPLY

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. Agreement filed in Clerk's office.

RESOLUTION ADOPTING UPDATED SEXUAL HARASSMENT POLICY

RESOLUTION 2018-36

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: ADOPTING THE UPDATED TOWN OF DICKINSON SEXUAL HARASSMENT POLICY.

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The Supervisor/Supervisor’s designee and the Administrative Assistant will be designated as contact persons. All employees of the town are required to attend training. A training date will be announced - TBD. All records will be kept within the Clerk/HR Office with strict confidentiality.

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 SEQRA TEMPORARY SIGN CODE

RESOLUTION 2018-37

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 NEGATIVE SEQRA DECLARATION RE: TEMPORARY SIGN CODE

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. SEQRA short form determination attached.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie reported that he attended a luncheon with the Highway Superintendents today. **Broome County** Office of Emergency Services Director Mike Ponticello was at the meeting. The County is working on a shared equipment program.
- Mr. Kie reported that leaf pickup continues.
- The Republic Street parking issue has resurfaced. Mr. Kie thinks the solution to the problem would be ‘no parking except holidays’ on both sides of road from Lower Stella Ireland to Republic Street. The street is narrow with a lot of thru traffic. It is used as a shortcut to JC and it causes a bottleneck.

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- Public Works Commissioner Kie requested there be a no parking restriction at the corner of Rosedale Drive between house number 20 and 28 on the north side of the street. There is one resident who continually parks in that area. Public Works Commissioner Kie has asked the resident not to park there to no avail. It is a safety issue. Mr. Kie will email a description of the two parking areas of concern with coordinates to Attorney Blaise. Mr. Blaise will draft a Local Law and present it to the board at the December work session. Then we will schedule a Public Hearing for January.
- VanWinkle Drive water main is still in legal at the County level after several years. Supervisor Marinaccio will contact the County on this issue.
- Milled the section of Old Front Street last week where the water was ponding.
- The Highway Department has completed patching on Sunrise Drive, Ferndale Drive, North Broad Street and Harding.
- City of Binghamton is increasing the sewer 9% effective 2019. There should not be any rate changes for the residents.

PLANNING & ZONING BOARD

Nothing to report.

CODE ENFORCEMENT

Nothing at this time.

PUBLIC COMMENTS

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

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:30PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk