

## October 13, 2020 - 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 Tuesday, October 13, 2020 via Zoom teleconferencing due to an uptick in the COVID-19 virus in Broome County. This meeting was changed to Tuesday because the Columbus Day Holiday falls on the normally scheduled meeting date of the second Monday of the month.

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:

Angelo D. Catalano, Esq., Town Attorney  
Susan M. Cerretani, Town Clerk  
Public Works Commissioner Joel Kie, Code Enforcement Officer  
Stephen Rafferty, Zoning Board Chair  
Jeanne Compton, Planning Board Chair  
Jerome Ford, and Town Justice Kathy Groover

## SUPERVISOR'S MONTHLY REPORT October 2020

This meeting is being held remotely via ZOOM virtual meeting software. The public has the ability to view or listen to this meeting live via the **ZOOM** app, web browser and/or by telephone. This meeting is being recorded and will be transcribed at a later date.

Also, at this time, anyone who is not an officer of the town, will be muted until I ask for comments from the public. Please state your name when you are called upon and recognized by me. Please avoid any background noise while you are speaking. Let us proceed with my Supervisor's Report for October

1. Please take notice that strict measures remain in place relating to anyone visiting the Town Hall to conduct business. That includes all town staff and elected and appointed officials. We now have a **RING** System installed at both entrance doors to the building. You will be asked what sort of business that you need to conduct. You must wear a face mask or you will not be allowed to enter the town hall, you must use hand sanitizer on your hands which will be provided at the both entrances and at the Town Clerk's Counter and the Old Front St. entrance. You must sign in prior to conducting any town business. Additional procedures are listed on our town website. The Town State of Emergency remains in place until further notice.
2. I had a **ZOOM** meeting with the County executive on Wednesday, Oct. 7. Positive cases of **COVID** have increased primarily from community spread. Bars, restaurants, and churches that are within the yellow zone, mostly zip code 13905 which includes

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### SUPERVISOR'S REPORT CONTINUED:

parts of Dickinson, Chenango, and Binghamton will be under some restrictions in number of persons inside buildings such as churches, bars, and restaurants. These restrictions will be enforced. Starting Friday, October 9, at midnight, we will begin a 14-day close observation of these restrictions. Many people are encouraged to work from home if possible. The county is predicting an increase in cases for the next few weeks. The mobile rapid testing bus will be moving to various locations in a week. Currently located at St. Patrick's parking lot. I shared my deep concerns regarding Halloween celebrations and Trick or Treat door to door activities. There has not been any guidance from the state on this issue as of this writing. It was agreed that it would not be affective for individual municipalities to place various restrictions on Trick & Treating. I am encouraging all of our town residents to take extreme caution and measures during the Trick or Treating activities, possibly keeping your children at home, and doing something special for them in your home setting. Common sense should prevail for this Halloween season. Local hospitals are seeing a sharp increase in treating **COVID** patients. Please note that the Town of Dickinson is not under the temporary restrictions even though we are in the 13905-zip code.

3. I received a call from Amy Winans, Executive Director of Habitat for Humanity, that the new home that was built at **BOCES** was being moved to its new location on 4 Linda Dr. This took place on October 9 and a letter was sent to residents who live in Linda Dr. notifying them of the move.
4. I reviewed our town credit card charges and found no issues.
5. We have received all money due from the State Health Department in regard to our water line project grant. Great job by everyone. The loan that we took out to make payments for materials and labor has been paid.
6. The 2021 **Annual Association of Towns Training School** that takes place in NY City has been canceled. **AOT** staff are now working on the possibility of conducting the training virtually with fees.
7. Received a letter from the **Town of Union Department of Planning** in regard to the development of their 2020-2024 **Consolidated Plan/Federal Community Development Block Grant**. Their Public Hearing is set for October 7, 7 PM, at their town hall. The plan can be viewed on their web site. I contacted Lauren Kelly, representative for **Spectrum** that our franchise agreement is now due for renewal. We sent in the changes late last year. She replied and stated that she will begin working on it. Once we are in agreement, we need to set a public hearing.

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**SUPERVISOR'S REPORT CONTINUED:**

8. We completed our **2021 Preliminary Town Budget**. We made reductions in most of our departments and especially in the highway department. Health Insurance is increasing. Materials for various projects are increasing. Fire districts with the exception of the **Chenango Fire Department** have small increases. I have negotiated a 5-year renewal contract with Chenango with no increases in the first year and small increases in the following years. Their costs, as well as other fire protection districts are increasing due to state fire safety mandates and replacement of equipment. A public hearing will take place next month. At this time we are looking at a slight increase in town property taxes. The average additional costs to homeowners with the average home value of \$120,000 will be approximately \$12 for the year.
9. Regarding our **Annual Financial Stress Score** from the **NYS Audit & Control**, the Comptroller's Office uses a bunch of data (some from the town's annual financial reports) and some from other economic/environmental sources (housing market, poverty levels, unemployment rates, reliance of federal and state aid, et al) to come up with a score for each local government - a report card if you will. In our case, for the **fiscal stress** category, we have a "**No Designation**" - basically the best designation you can get (There are no deficits, cash position is okay, no reliance on short-term debt to meet operating needs).
10. For the environmental stress category, the town has also been assigned with a "**No Designation,**" which is the best rating you can get. This environmental stress category looks at non-financial stuff such as poverty levels, unemployment numbers, housing market.

**Code Violations**

1. 16 Twining Rd., multiple unlicensed vehicles being worked on. Mattress in back yard and various car parts scattered around the yard. Grass not mowed
2. 153 Bigelow St., Order to Remedy, Property Code requires Kitchen sinks, lavatories, bathtub, and showers shall be supplied with hot water.
3. 62 Sowden, Order to Remedy, no smoke detectors, no carbon monoxide detectors on each floor, none in basement
4. Appearance Ticket, 16 Francis St., various sanitation violations. Junk vehicles.
5. Appearance Ticket, 51 Pulaski, chickens in back yard.
6. Appearance Ticket, 10 Pleasant Court., chickens in back yard.

The Village of Johnson City has received a multitude of complaints of residents raising chickens; therefore, the Village board will be rescinding a portion of their zoning code and draft a Local Law prohibiting chickens.

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**SUPERVISOR’S REPORT CONTINUED:**

**Dog Control Officer Report for September**

**TOWN:** 1 call, dog issues at 16 Francis St. I met with the neighbor to discuss dog issues. The landlord has agreed to limit number of dogs in the 4-unit apartment which is in the city.

**VILLAGE:** 2 calls, 2 stray dogs running loose on Chenango St., 2 dogs running loose on Newton St. Both issues were addressed with the owners of the dogs.

**NYSEG UTILITY SHUTOFF NOTICES**

There were no **NYSEG** notices sent out to any of our residents this month.

Our next meeting is Monday, November 2<sup>nd</sup>, 5:30 PM Work Session and Public Hearings.

Supervisor Marinaccio received a letter from **MEGA** notifying him that representative Louise Gava is no longer with the organization.

Attorney Catalano will be presenting the annual Coughlin and Gerhart labor law session on October 22<sup>nd</sup>. Contact Supervisor Marinaccio to register for the virtual meeting.

Councilwoman Exley asked the date of the deadline for the code violation on the Prospect Street Church property. Deputy Code Enforcement Officer Kie responded that the owners were cited at least two weeks ago. They have 30 days to rectify the problem. The Town must give them an opportunity to comply. After that, The Town can board up the property and issue an appearance ticket.

Supervisor Marinaccio stated that the Executive Director for **Habitat for Humanity** contacted him about the house being moved onto Linda Drive. Councilwoman Exley stated that it is a nice-looking ranch house.

**PUBLIC COMMENTS**

No public comments

**COMMITTEE REPORTS**

• **FINANCE**

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **September 2020 Monthly Financial Report** for the **Town Clerk in the amount of \$980.45**. On a motion by Councilman Morabito seconded by Councilman Gardner. All in favor.

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○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 10**, dated **October 13, 2020** in the amount of **\$439,889.02**. 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

Unanimously passed and noted as duly adopted.

**Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$439,889.02.**

**Voucher #10 for October 13, 2020 in the amount of \$439,889.02.**

<b><u>General Fund</u></b>	<b><u>\$14,687.03</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$13,364.79</u></b>
<b><u>Fire districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$2,353.58</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$254,819.27</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$154,664.35</u></b>
<b><u>Water Project</u></b>	<b><u>\$0.00</u></b>

● **PLANNING**

- Chairman Ford stated he is not aware of anything pending.
- Mr. Ford will start some reading assignments to the group.
- Mr. Ford has subscribed to the publication entitled Law of the Land and when he comes across a court case pertinent to the planning board, he will forward to the members just for information.

● **PERSONNEL**

- Councilwoman Exley reported that John White, as noted at last week's session, has handed in his 2 weeks' notice. A replacement has not been hired.

**APPROVAL OF MINUTES**

On a motion by Councilman Gardner seconded by Councilman Morabito to approve the **Work Session Meeting Minutes/Regular Meeting Minutes of September 14, 2020**. All in favor. Vote- Ayes-5, Nays-0, Absent-0.

**ATTORNEY**

Attorney Catalano informed the board that the Governor has extended the order to allow virtual open meetings until November 3<sup>rd</sup>, 2020.

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**2021 BUDGET**

**RESOLUTION 2020 - 17**

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: SCHEDULE A VIRTUAL PUBLIC HEARING FOR 2021 BUDGET AT 5:30 PM, NOVEMBER 2, 2020.**

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.

**SHARING MAINTENANCE OF HIGHWAY LIGHTING COSTS AND RESPONSIBILITIES FOR NYSDOT MULTI-USE TRAIL AGREEMENT**

**RESOLUTION 2020 – 18**

Supervisor Marinaccio explained that the lighting is for the new trail that will go over the new bridge and extend all the way down Front Street to the city line.

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: SCHEDULE A VIRTUAL PUBLIC HEARING FOR NYSDOT AGREEMENT SHARING MAINTENANCE OF HIGHWAY LIGHTING COSTS AND RESPONSIBILITIES FOR MULTI-USE TRAIL AT 5:40 PM NOV. 2, 2020.**

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 Aye  
Councilman Burns voting Aye

All in favor. Agreement to be signed and submitted to **NYSDOT**.

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**CHENANGO FIRE PROTECTION CONTRACT RENEWAL**

**RESOLUTION 2020 – 19**

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: SCHEDULE A VIRTUAL PUBLIC HEARING APPROVING CHENANGO FIRE PROTECTION CONTRACT RENEWAL AT 5:50 PM NOV. 2, 2020.**

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 Aye  
Councilman Burns voting Aye

All in favor.

Attorney Catalano explained that the Landlord Local Law has been delayed due to an unexpected situation within his office.

Councilman Morabito asked if the town has a hacking policy that he was alerted to by a local town attorney that must be in place by October first. Attorney Catalano stated that he was not aware of an anti-hacking policy, but he will look into policies and local laws in the event of an unintentional breach. We should have internal policies in place to protect us with our IT provider.

**PUBLIC WORKS**

- Public Works Commissioner Kie reported that the 12 high mast lights on Airport Rd. are going to be replaced and converted to **LED** for a cost of \$1,500.
- Mr. Kie asked for the board's permission to declare the zero-turn tractor as surplus and purchase a new tractor for \$6,100. The zero turn will be used as a trade in.

On a motion by Councilwoman Exley and seconded by Councilman Morabito to approve the purchase of a tractor at a cost of \$6,100. All in favor.

- Mr. Kie reported that the checks for the surplus paver and generator have been received.

**ZONING**

**ZBA** Chairwoman Compton had nothing to report.

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**CODE ENFORCEMENT**

Deputy Code Enforcement Officer Kie reported that he and Mr. Rafferty are working on getting their certifications up to date.

Kathy Groover reported that the new officers of the **Sunrise Terrace Association** have decided to cancel the annual Halloween parade due to the pandemic and associated concerns.

Councilman Gardner reported that he attended a **New York State Public Employer Mandatory Emergency Plan** Zoom webinar. Clerk Cerretani also attended the session. She will forward the PowerPoint presentation to Attorney Catalano and the Board Members.

**PUBLIC COMMENTS**

Supervisor Marinaccio stated that the roundabout project will go out to bid in December and start in the spring of 2021. The landscape design budget has been increased and will address the storage area at the interchange.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 6:47 PM.

Respectfully submitted,

Susan M. Cerretani  
Town Clerk