

December 5, 2022– WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, December 5, 2022 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

The members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
Stephen M. Gardner, Councilperson
Danny F. Morabito, Councilperson
Thomas J. Burns, Councilperson**

Absent: Sharon M. Exley, Councilperson

Also attending:

**Nathan D. VanWhy, Esq., Attorney for the Town
Susan Cerretani, Town Clerk**

Also in attendance:

Port Dickinson Mayor Kevin Burke, Town Engineer Ron Lake, and one member of the public.

Attending via zoom:

**Code Enforcement Officer Stephen Rafferty via, Public Works
Commissioner Joel Kie, Planning Board Chair Jerry Ford, and Deputy
Code Enforcement Officer Kyle Doyle**

Join Zoom Meeting

<https://us02web.zoom.us/j/83271337378?pwd=SmRLM2Nyek1tODE3TTZZdkpLK0RpUT09>

Meeting ID: 832 7133 7378

Passcode: 914530

Phone: 1-646-876-9923

PUBLIC HEARING #1:

FIRE PROTECTION DISTRICT #3 CONTRACT

Village of Port Dickinson Mayor Kevin Burke addressed the Town Board regarding the three-year Fire Protection Contract.

The Village of Port Dickinson would be paid \$32,800 for 2023, \$33,450 for 2024, and \$34,150 for 2025. The contract would require adequate insurance be maintained, and the Port Dickinson Fire Company to answer and attend all fire calls in the district.

Public comments:

Jim Love asked the mayor in the last year, how often did the **Port Dick Fire Department** service the Town of Dickinson. Mr. Burke answered approximately 40 calls this year. The department has a med team with three paramedics and three EMT's: all volunteers. Supervisor Marinaccio stated that the Town of Dickinson has three districts and is very well protected.

The Public Hearing was closed at 5:36 PM.

December 5, 2022– WORK SESSION

PUBLIC HEARING #2:

STREETS AND SIDEWALKS LOCAL LAW

A LOCAL LAW AMENDING CHAPTER 484 OF THE TOWN CODE ENTITLED ‘STREETS AND SIDEWALKS.’ The purpose of the Local Law is to include work on utility poles.

With no further comments being heard the Public Hearing was closed at 5:41 PM.

Supervisor Marinaccio stated that Town Clerk Cerretani will be providing the Town Board members with a copy of the draft **2023 Organizational Resolution.**

**December Town Board Work Session
Supervisor’s Report**

1. Joel and I, at their request, will be meeting with representatives from the **NYS Department of Transportation** regarding the old walk bridge. We will update everyone with the results of the meeting.
2. We were notified that the **Regal Theaters** have gone into Chapter 11. At this time, we are not aware of any future plans for the theater.
3. Tonight, we will be discussing the proposed changes to our water and sewer rates prior to scheduling a public hearing tonight for next week’s meeting.
4. I met with **SUNY Broome President Kevin Drumm** today to discuss the purchasing of land that is located behind the **Chenango Shores** development. I will report additional information in my December report.
5. As many of you are aware, there is a notification process that alerts us and others of sex offenders living at various locations. These preciously convicted offenders are mostly Class 1 or 2 rated which by state law, now allows them to live just about anywhere but they are mandated to report when they move and where they are living. We have a large number of these offenders moving into the **EconoLodge**. Some are assigned there by the sheriff’s office, some by **DSS**, and some possibly move there on their own but I am not sure of that. I had a long discussion with the County Executive about this on Thursday, December first. He informed me that there are plans to build a 100-unit apartment house somewhere, possibly Johnson City, where people that are in need of shelter can stay. That could include released sex offenders, homeless people, and people that are in need of help through **DSS**, this could happen in about a year. I will keep everyone informed as additional information comes to me.
6. Mr. Marinaccio received a notice of a 239 submission: The Town of Kirkwood has placed a moratorium on battery storage systems.
7. We will hold a Public Hearing next Monday. We are looking at decreasing the water rates and increasing the operation fees. We have no choice. Sewer is going to go up to \$9.75/100 cubic feet with a minimum charge of \$15.00. Water rates will be a minimum charge of \$10 for the first 100 cubic feet and thereafter \$4.75/100 cubic feet. Increase of relevy fee of \$100. Penalties for late payments at ten percent penalty of outstanding balance. We are operating at a deficit.

December 5, 2022– WORK SESSION

WATER AND SEWERS RATES

Supervisor Marinaccio stated that we will hold a Public Hearing next Monday regarding the water and sewer rates. Decreased the water rates but increased the operation fees.

Sewer Rates: minimum charge of \$15 for the first 100 cubic feet, thereafter \$9.75/100 cubic feet.

Water Rates: minimum charge of \$10 for the first 100 cubic feet, and thereafter \$4.75/100 cubic feet. Increase relevy fee increase to \$100. 10 percent of outstanding balance due for late payments. The charge for water is exactly what we pay for water.

Supervisor Marinaccio had a discussion with Bruce King who is on the **Joint Sewage Treatment Plant** Board of Directors and was told that they will be getting money from lawsuit settlements. He doesn't anticipate any large rate increases in the future.

ATTORNEY

DISCUSSION: POTENTIAL SOLAR MORATORIUM IN THE TOWN OF DICKINSON

Attorney VanWhy stated that at the next meeting we will schedule a Public Hearing for the January work session meeting regarding a solar moratorium in the Town of Dickinson.

Mr. VanWhy will bring a draft of the Solar Moratorium Law for the Board members to have and review.

The Town has a solar Local Law that allows solar projects in any area of the Town, however, because all of the development has taken place in a primarily residential area in the Glenwood Rd area, we might want to pause and re-visit the regulations and look for some clarity and definition. This moratorium will not stop those projects in progress. Councilperson Morabito replied that he wants to explore avenues to halt pending projects.

Mr. VanWhy replied the any developer who is pending during an application process and a moratorium is imposed, there is a question if they are vested in the process, they will argue they are entitled to the regulations that were in place at the time they applied.

The six-month moratorium should allow plenty of time to set up a committee, review our local law, review the lay of the land, and make some targeted specific recommendations to our Local Law.

Planning Board Chair Jerry Ford stated that he is all in favor of the moratorium as soon as possible and we need to be specific in the comprehensive plan as to where we would be recommending this type of activity.

Attorney VanWhy commented that the town's reasonable restrictions on setbacks, screenings, preservation of open space, and specific criteria would come into play.

There was a discussion about decommissioning plans. Salvage value considerations were discussed. It was suggested that a solar specific consultant/expert or a professional service should be hired to inform the Planning Board about its decision making.

December 5, 2022– WORK SESSION

PUBLIC WORKS

- Public Works Commissioner Kie reported that leaf pick-up is done.
- Salt boxes are installed on the trucks
- The Highway crew is busy tidying up the town and doing some painting
- Rail trail lights are being retrofitted
- Supervisor Marinaccio received an **Order of Maintenance Responsibility** from New York State Department of Transportation of various items on the Bridge Replacement project. The items include Blue Light, Split Rail Fence, Chain Link Fence, and landscaping of certain areas. Mr. Marinaccio and Mr. Kie are not in agreement as there are too many items that they do not want to be responsible for.

ZONING

- Nothing to report

Town Engineer Lake commented that hopefully some of the money received from the Joint Sewage treatment Plant lawsuits will come back to the communities.

On a motion by Supervisor Marinaccio, the work session was adjourned by a motion from Councilperson Morabito and seconded by Councilperson Burns at 6:35 PM.

Respectfully submitted,

Susan M. Cerretani RMC
Town Clerk