

May 13,2024 – 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, May 13, 2024 at the Town Hall, 531 Old Front Street, Binghamton, New York

The members of the Town Board present were:

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

Also in attendance:

**Keegan Coughlin, Esq., Town Attorney
Wendi Evans, Town Clerk
Public Works Commissioner Joel Kie,
Code Enforcement Officer Kyle Doyle and 6 members of the general public.**

CHAIR

SUPERVISOR’S REPORT

**May 2024 Town Board Meeting
Supervisor’s Report**

1. I reviewed the credit card charges and did not see any issues.
2. I received a copy of the Municipal Shelter Inspection report for the BC Dog Shelter, there continue to be unsatisfactory issues with walls and floors maintenance, multiple records incomplete for intake and disposition, multiple dogs not transferred in compliance with Article 7, which is adoption of various dogs, 1 dog was euthanized without documentation as to why, 1 dog redeemed to owner without proof of license, multiple dogs redeemed to owners with incorrect redemption fees charges.
3. We are seeing an increase of activity at our Sunrise terrace Park mostly by individuals living at the hotels across from the park. Stones from around our maintenance shed are being thrown about the park and basketball court, a great deal of litter from fast food establishments is left on benches and on the ground, loitering by homeless individuals are seen camping out in out ball field dugouts, damage to our fence around the pump station, kids digging holes around the park that could cause an accident, individuals who appear to be under the influence hanging around the park and along our streets, etc. I have notified the sheriff’s department, and I wrote a letter to the hotel owner, and copied the Couty Executive and DSS Director illustrating our serious concerns about these activities. Residents are voicing their concerns and are afraid to bring their children to the park. I had a discussion with the

May 13,2024 – REGULAR MEETING

hotel owner, and he is planning to have some playground devices installed behind the hotel for his guests and he will also share my concerns with them. I also copied a Facebook message from a resident in Sunrise Terrace that had a very negative experience at the park with a confrontation with some youths from the hotel that was threatening. The resident had her very young child with her. This is totally unacceptable and must stop.

4. We finally received our 1st quarter funds for sales tax: \$275,986.34 and 1st quarter fees for inmates from other jurisdictions housed at the Broome County jail for \$17,120.09.
5. I was informed by our town judges that they hired someone for the position of court clerk. She started a few weeks ago and is doing a very good job. I was also informed that they are looking for a replacement for the court security officer who recently took a full-time position with Broome County Sheriff’s office.
6. Darrell attended an AOT sponsored seminar on Finance.
7. Darrell found this event very informative in relation to his duties here in our town.
8. In regard to the NY Association of Towns, our new Executive Director, Chris Koetzle, former Supervisor of the Town of Glenville, started his position on May 1. There are many changes in staffing, all positive, and new members of the Executive Board being inducted into the Executive Board. I had a Zoom Officers meeting this morning to go over the changes and we will meet in person in Albany on the 21st.

9. Code Enforcement Monthly Report

Violations	
Property	Type
43 Adams St	Trash & Debris
347 Prospect St	Fire Code Violations
380 Prospect St	Trash & Debris
51 Adams St	Trash & Debris
367 Prospect St	Multiple Unregistered Vehicles
37 Hickory Rd	No Building permit for roof
51 Sunset Dr	Trash & Debris
Permits Issued	
Property	Type
138 Iris Dr	Roof

May 13,2024 – REGULAR MEETING

166 Glenwood Rd	Solar Project
32 Longview Ave	Roof
1 N Moeller St	Pergola
21 Pleasant Court Dr	Gazebo
232 Lower Stella Ireland Rd	Roof
376 Prospect St	Building Stabilization
123 Elaine Dr	Brickwall and Pillars with Roof for front Porch
Appearance Tickets	
Property	Type
33 Pulaski St	Trash & Debris
33.5 Pulaski St	Trash & Debris
409 Glenwood Rd	Trash & Debris
Fire Inspections	
Property	Location
345 Prospect St	Polish Community Center

10. Dog Control Officer Reports: Village & Town:

4 Stray Dog Calls, 2 dogs transported to the shelter. 39 Miles on Fenton DCO Van, 4 calls pertaining to “other” animals. 21 calls for other towns to be redirected. 32 phone calls received. 62 phone calls made (including past due Reminder calls) 3 E-mails received. 3 E-mails sent. 4 Tickets issued.

11. NYSEG Utility Shutoff Notices:

63 Adams St. received a NYSEG utility shutoff due to a \$6,346.95 bill not paid. They have until May 12 to pay. This property owed the Town of Dickinson \$2,177.93 for unpaid water/sewer but thanks to Darrell and our water department efforts, the water/sewer bill was recently paid.

Next Town Board Meetings

Work Session, Monday, June 3
 Regular Board meeting, June 10

PUBLIC COMMENTS

Fire Chief Delanoy from the Prospect Terrace Fire Company commented that he would like to request the help from the Town of Dickinson to get back the BOCES fire contract. He felt he was moving in a good direction when he met with the superintendent of the school. She allowed him to speak at their board meeting. He recently reached back out to them because she wanted to figure out why we were not contracted with them. They are currently contracted with the City of Binghamton and have been for the past 20 years. He was told last week it could not be done. The question he has is, years and years ago this town cut BOCES and Broome Developmental Center out of the fire protection district because of non-tax property. Now they have purchased a house next to them that is taxable property. Supervisor Marinaccio replied that once they purchased it, they extended their property, and it is now untaxed. He would like the town to revisit it. If we continue on letting the City of Binghamton come into the town and take fire properties, we are going to make the Prospect Terrace Fire Co. close its doors. They currently have a contract with Broome Developmental Center, but they almost lost that too to the City of Binghamton. They have not had the BOCES contract for 20 years. Supervisor Marinaccio explained when those 2 entities were written out of the district then they could contract with whomever they wanted to contract with. The question is if we write them back in is there still a way to get a program to still cover the fire protection for those facilities. Also, Broome Developmental Center sends out a bid package to all the surrounding fire departments around us. BOCES does not. He would like to know how that is legal. Supervisor Marinaccio explained that that has nothing to do with the Town Of Dickinson. He stressed again that they need help or it's going to force us to close our doors. Attorney Coughlin explained there is no way for the Town to force a fire contract on them. Supervisor Marinaccio explained that there is not much help we can give them because our hands are tied. If we could, he would jump on it tomorrow. The town can only do what we can do. We had legal counsel there and Attorney Coughlin claims if we changed the district grounds it may still not make a difference for the fire department. Councilperson Morabito commented that if they were put in our fire district then why would they contract with the City of Binghamton. Code Enforcer Doyle asked if the board or Supervisor could meet with BOCES and maybe ask the question that if we were to add them back to the fire district would you use our fire department. Supervisor Marinaccio agreed to do that and will contact them to have a meeting in the near future.

COMMITTEE REPORTS

○ **HIGHWAY**

- Councilperson Morabito commented that they are keeping busy with brush pick up and mowing of the lawns.
- We are short 1 person so we will be looking for someone to join the staff.
- Clean up day is this weekend May 18th.

May 13,2024 – REGULAR MEETING

○ **WATER/SEWER**

- Councilperson Exley commented that it has been quiet in water/sewer which is always good.
- There was work done at the garage pump station as a pump needed to be sent out for repair.
- Darrell attended the Association of Towns finance training and while he was there he spoke with someone from Williamson Law and they are preparing to cut over from the old software to Williamson Law next week.

○ **FINANCE**

○ **TOWN COURT CLERK FINANCIAL REPORT**

Councilperson Gardner made the motion to accept the **January 2024 Monthly Financial Report** for the **Court Clerk** in the amount of **\$15,410.00**.

Councilperson Gardner also made the motion to accept the **February 2024 Monthly Financial Report** for the **Court Clerk** in the amount of **\$35,554.00** seconded by Councilperson Exley. All in favor.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **April 2024 Monthly Financial Report** for the **Town Clerk** in the amount of **\$5,182.12** seconded by Councilperson Morabito. All in favor.

○ **SUPERVISOR'S FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **March 2024 Monthly Financial Report** for the **Town Supervisor** in the amount of **\$2,540,151.67** seconded by Councilperson Morabito. All in favor.

Councilperson Gardner also made the motion to accept the **April 2024 Monthly Financial Report** for the **Town Supervisor** in the amount of **\$2,559,611.07** seconded by Councilperson Morabito. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **Abstract #05** dated **May 13, 2024** in the amount of **\$471,278.29**.

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

Supervisor Marinaccio voting Aye
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$471,278.29

Voucher #05 for May 13, 2024 in the amount of \$471,278.29.

General Fund	\$92,222.58
Part Town	\$0.00
Highway	\$7,462.65
Light Districts	\$4,770.11
Sewer Operating Dist.	\$253,788.21
Water Operating Dist.	\$113,034.74

DISCUSSION: The town had a \$200,000 1- year ban for the sewer laterals for the Sunrise paving project. The closing for that bond is June 5th. The recommendation is that we pay \$50,000.00 down which is budgeted for. We also owe \$9200.00 in interest with a rate of 4.6%. We have \$30,000.00 in surplus so \$80,000 would be applied to the ban. Moving forward we would end up with a \$120,000.00 serial bond. We would lock in to a 2-year serial bond. It would be an estimated interest rate of 4.4% per year so the budget for 2025 and 2026 we would have a payment of \$60,000.00 of principal each year, which we could afford, and we would put it in the budget. The first year we would pay \$5280.00 interest then the next year we would pay \$2,640.00 interest. That would eliminate that \$200,000.00 ban.

On a motion by Councilperson Morabito seconded by Councilperson Burns to approve the recommendation of the **bond extension**. All in favor Vote-5 Ayes, Nays-0, Absent-0.

- Supervisor Marinaccio voting Aye
- Councilperson Gardner voting Aye
- Councilperson Exley voting Aye
- Councilperson Morabito voting Aye
- Councilperson Burns voting Aye

All in favor.

- **PERSONNEL**

- Nothing to add at this time.

- **PLANNING/ZONING**

- The planning board is moving ahead with the solar project.
- Zoning board has 2 Public hearings on May 21st.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the April 1, 2024 Work Session Minutes, and the April 8, 2024 Regular Meeting Minutes. All in favor Vote-5 Ayes, Nays-0, Absent-0.

- Supervisor Marinaccio voting Aye
- Councilperson Gardner voting Aye
- Councilperson Exley voting Aye
- Councilperson Morabito voting Aye
- Councilperson Burns voting Aye

All in favor.

ATTORNEY

RESOLUTION 2024-12

The following Resolution was offered by Councilperson Gardner, who moved its adoption, seconded by Councilperson Morabito to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

Town of Dickinson

Resolution No. _____12_____

**Resolution Adopting Local Law #5-2024 entitled
“A LOCAL LAW AMENDING ATTACHMENTS 4 AND 5 OF THE
RESIDENTIAL ZONING REGULATIONS SCHEDULES”**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 13th day of May, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for May 6, 2024 at 5:30 p.m. for Local Law No. 5 of 2024 entitled “A LOCAL LAW AMENDING ATTACHMENTS 4 AND 5 OF THE RESIDENTIAL ZONING REGULATIONS SCHEDULES”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 6th day of May, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it is determined by the Town Board that adoption of the proposed Local Law constitutes a Type I Action, as defined under said regulations. The Town Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Town Board adopts a negative declaration with respect to the Local Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 5 of 2024 entitled “A LOCAL LAW AMENDING ATTACHMENTS 4 AND 5 OF THE RESIDENTIAL ZONING REGULATIONS SCHEDULES”; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held at Town Hall, 531 Old Front Street, Binghamton, New York on this 13th day of May, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Aye

Town of Dickinson Seal

Dated: May 13, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

RESOLUTION 2024-13

The following Resolution was offered by Councilperson Morabito, who moved its adoption, seconded by Councilperson Exley to wit:

BE IT RESOLVED, by the Town Board of the Town of Dickinson, Broome County, New York as follows:

May 13,2024 – REGULAR MEETING

Town of Dickinson

Resolution No. _____13_____

**Resolution Adopting Local Law #6-2024 entitled
“A LOCAL LAW ADDING AN ARTICLE XII TO CHAPTER 600 OF
THE TOWN CODE ENTITLED OUTDOOR LIGHTING REGULATIONS”**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 13th day of May, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for May 6, 2024 at 5:30 p.m. for Local Law No. 6 of 2024 entitled “A LOCAL LAW ADDING AN ARTICLE XII TO CHAPTER 600 OF THE TOWN CODE ENTITLED ‘OUTDOOR LIGHTING REGULATIONS’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 6th day of May, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it is determined by the Town Board that adoption of the proposed Local Law constitutes a Type I Action, as defined under said regulations. The Town Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Town Board adopts a negative declaration with respect to the Local Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 6 of 2024 entitled “A LOCAL LAW ADDING AN ARTICLE XII TO CHAPTER 600 OF THE TOWN CODE ENTITLED ‘OUTDOOR LIGHTING REGULATIONS’”; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held at Town Hall, 531 Old Front Street, Binghamton, New York on this 13th day of May, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Aye

Town of Dickinson Seal

Dated: May 13, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

DEPARTMENT REPORTS

PUBLIC WORKS, WATER and SEWER

- **HIGHWAY DEPARTMENT ADMINISTRATIVE**
 - Commissioner Kie commented that we will be changing our delinquent letter for the water department. There is still a process. First they will be notified to either pay the bill or contest the non-payment within a certain time period, if they choose to contest a hearing will take place and then at that point the water can be shut off. Joel and Darrell would be on the hearing board.

- **CODE ENFORCEMENT**
 - Code Officer Doyle gave updates on:
 - 26 Pulaski-the county owns that property, and he was able to talk to Real Property and they are still going through the court process.

May 13,2024 – REGULAR MEETING

- 29 Longview – is also owned by the county and it’s currently empty. He requested that someone go there to clean the property and she stated that they would be doing that. It will be on the counties auction in the fall.
 - Econo Lodge – he met with them in regard to the issues we have been having at Sunrise Terrace Park. They are looking to make their own playground. After speaking with Attorney Coughlin with some questions, he is going to need a site plan, along with engineering drawings, location, meets all the safety requirements that will be needed then we will need to do a building permit.
 - St. Stans School – some work had been done there with the front of the building as that was the biggest concern with the drainage from the roof. We will be monitoring that as part of the yearly inspections.
 - New signs are being put up for the Regal Theater and Visions Credit Union.
 - A code meeting is being held on May 21st @ 2:00.
- **PLANNING/ZONING**
- The planning board is moving ahead with the solar project.
 - Zoning board has 2 Public hearings on May 21st.

The meeting was adjourned on a motion by Councilperson Morabito and seconded by Councilperson Burns at 7:01 PM.

Respectfully submitted,

Wendi Evans
Town Clerk