

## March 09, 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 Monday, March 09, 2020 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

Absent: Thomas J. Burns, Councilman

Also in attendance:

Angelo D. Catalano, Esq., Town Attorney  
Susan M. Cerretani, Town Clerk  
Broome County Executive Jason Garnar  
Code Enforcement Officer Stephen Rafferty, Town Engineer Ron Lake,  
Public Works Commissioner Joel Kie, Zoning Board Chair Jeanne  
Compton and 2 members of the general public.

*A MOMENT OF SILENCED WAS OBSERVED FOR THE PASSING OF  
RICHARD MURPHY*

### 2020 STATE OF THE COUNTY ADDRESS

Supervisor Marinaccio welcomed Broome County Executive Jason Garner to present the **2020 State of the County Address**.

Highlights of Mr. Garnar's address included **Broome County Workforce Development, Broome County's Finances, Public Safety, and Coronavirus**.

Supervisor Marinaccio thanked Mr. Garnar for his presentation. 6:40 PM.

### CHAIR

### SUPERVISOR'S REPORT

#### SUPERVISOR'S MONTHLY REPORT March 2020

1. I have reviewed the February credit card statement and found no issues.
2. An application for the **Broome County Small Communities Grant** has been submitted for a total of \$20K. If granted, funds will be used for landscaping the Sunrise Terrace Park, security cameras, and a possible small pavilion.
3. The **Sunrise Terrace Park Committee** will begin to meet soon to discuss future plans for the park. We have 2 residents from Prospect Terrace and 3 from Sunrise Terrace.

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### SUPERVISOR'S REPORT CONTINUED:

4. Received a letter from the **Broome County Department of Planning** regarding a variance request to add 2-foot width extension to a garage located on Ferndale Drive. They found no issue with the variance.
5. On March 18, I will be delivering dinners for **Meals on Wheels** for the day.
6. I attended a NY State Budget review on March 6, held at **The Agency. Green Energy** was one of the focus items. The governor is pushing for renewables statewide. I learned that Professor Whittingham is heading a committee on renewable energy.
7. Councilman Gardner and I will be participating in **Lobby Day** in Albany on March 23. There will be a rally and information session at the Renaissance Hotel then off to the Capitol to meet with various Senators and Assembly persons.
8. The next **Broome County Association of Towns & Villages** meeting is March 26, Riverdale Catering, guest speaker is Gerry Geist who will discuss NY State Budget topics and other issues.
9. We received \$550 from the resident in the Town of Chenango to put towards their water bill. The remainder, approximately an additional \$500 plus usage for this quarter will be paid when the bills get mailed out. We will not have to turn off their water.
10. The Newsletter draft is being reviewed for errors, changes, additions, etc. Should be ready to go to the printer within a week. I do need to confirm the date of **Clean Up Day**.
11. The Municipal Day for the May 8 **Rumble Ponies** game will take place. We are waiting to back from the team regarding tickets that Steve Gardner, myself, and hopefully a few other people from the Association will assist in distributing the tickets to the various towns and villages. The County and the City are also interested in participating.
12. The audit of our town court has been completed by our CPA, Michael Giovinazzo. Both our judges were interviewed during the process as well as records reviewed. There were no discrepancies found due to our judges and court staff doing an excellent job. The audit report will be sent to the **NYS Unified Court System**. A copy of the report will be made available if any of the board members would like to review it.

### **Code Violations Report:**

1. 650 Old Front St., Hotel sign is flashing at night. Needs to be repaired
2. 62 Sowden, Court Appearance Ticket issued. Accumulation of rubbish, garbage, building code violations.

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### SUPERVISOR’S REPORT CONTINUED:

3. 20 N. Broad St., issued an Appearance Ticket, rubbish and garbage has not been disposed.
4. In regard to the Town of Chenango resident, 5 Hickory Rd., who is on our water and sewer lines, a notice of water turn off was sent to the home owner and was given until the end of March to pay his water and sewer bills otherwise, the town will turn off the water supply.
5. Regarding the **BAGSAI** unpaid water/sewer bill of \$10,854, the County has paid \$7,058.20 towards the bill. **BAGSAI** still owes us \$3,795,72.

### Dog Control Reports

The February Dog Control Officer report was submitted. A total of 4 calls were investigated. Dog defecating on neighbors’ lawn, dog charging a resident who was out for a run, dog off leash. All complaints were addressed by the officer.

**NYSEG Warning Letter:** No NYSEG warnings issued

**Next Meeting:** Our next Board meeting will be on Monday, April 6, 5:30 PM Work Session

### PUBLIC COMMENTS

Supervisor Marinaccio opened the meeting to public comments. None were heard.

### COMMITTEE REPORTS

#### • **PUBLIC WORKS**

- Supervisor Marinaccio reported that we met with the bank to secure the loan for the Water Line project. The money is in an interest-bearing account. Mr. Lake is submitting required paperwork to the Department of Health.
- Supervisor Marinaccio is working with the **Landbank** on 2 properties that need to be demolished.
- We are taking extra care in keeping the Town Hall clean in view of the **Coronavirus** outbreak. Supervisor Marinaccio asked that we all take precautions.

#### • **FINANCE**

##### ○ **SUPERVISOR’S MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **December 2019 Supervisor monthly report** seconded by Councilman Gardner. All in favor

##### ○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **February 2020 Monthly Financial Report** for the **Town Clerk in the amount of \$1,099.43**. On a motion by Councilman Morabito seconded by Councilwoman Exley. All in favor.

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○ **TOWN COURT MONTHLY REPORT**

Councilman Morabito made a motion to accept the **January 2020 Monthly Financial Report** for the **Town Court in the amount of \$42,786**. On a motion by Councilman Morabito seconded by Councilman Gardner. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 3**, dated **March 09, 2020** in the amount of **\$159,304.78**. Vote Ayes- 4, Nays-0, Absent-1.

Supervisor Marinaccio voting Aye  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Absent

Unanimously passed and noted as duly adopted.

**Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$159,304.78.**

**Voucher #3 for March 09, 2020 in the amount of \$159,304.78.**

<b><u>General Fund</u></b>	<b><u>\$50,040.13</u></b>
<b><u>Part Town</u></b>	<b><u>\$22.00</u></b>
<b><u>Highway</u></b>	<b><u>\$45,579.68</u></b>
<b><u>Fire districts</u></b>	<b><u>\$47,000.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$4,253.38</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$11,351.78</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$1,057.81</u></b>

- **PERSONNEL**
  - Councilwoman Exley had nothing to report.
- **PLANNING**
  - Nothing to report.

**APPROVAL OF MINUTES**

On a motion by Councilman Gardner seconded by Councilman Morabito to approve the **Work Session Meeting Minutes of February 3, 2020, Regular Meeting Minutes of February 10, 2020 and Special Meeting Minutes of February 13, 2020**. All in favor.

Vote- Ayes-4, Nays-0, Absent-1.

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**ATTORNEY**

**RESOLUTION: ACCEPTING THE FINDINGS OF THE JUSTICE COURT AUDIT**

We are mandated, under Town Law, Section 123, and the provisions of Section 2019-a of the Unified Justice Court Act to conduct annual town court audits. Our Auditor, Michael Giovinazzo, performed the audit. Copy of the audit is available. A copy of the audit has been sent to the Unified Justice Court.

**RESOLUTION 2020-4**

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: ACCEPTING THE FINDINGS OF THE JUSTICE COURT AUDIT.**

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-1.

Supervisor Marinaccio voting Aye  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Absent

All in favor.

**RESOLUTION: DESIGNATING MAY 16, 2020 AS MUNICIPAL CLEANUP DAY FOR THE TOWN OF DICKINSON**

**RESOLUTION 2019 - 5**

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: DESIGNATING MAY 16, 2020 AS MUNICIPAL CLEANUP DAY FOR THE TOWN OF DICKINSON**

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-1.

Supervisor Marinaccio voting Aye  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Absent

All in favor. On file.

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### TIMBER LOCAL LAW

Attorney Catalano is looking at Vestal's Timber law as an example for the Local Law. Once reviewed, Mr. Catalano will submit a draft for the board to look at.

### BESS LOCAL LAW

Attorney Catalano is placing the proposed BESS Local Law on hold pending a proposed new law in the New York State budget.

### ZOMBIE PROPERTY ALERT/TRACKING SYSTEM

Attorney Catalano is reviewing whether we need or want to go forward with hiring an outside agency to track zombie properties for us. We could do this ourselves by creating a Local Law where if someone wants to rent out property, they must obtain a permit and have a local agent who is responsible and in control of the property. We would require an annual or bi-annual inspection of the rental property. Mr. Catalano will continue to review this.

### BROADCAST TOWERS

Broadcast Towers are exempt from zoning because they are put up by the County for the County Broadcast System. With future expansion, where they lease out to a private company, it will be subject to zoning. Mr. Catalano cautioned the code officers to be on alert if it does come up.

### AMENDING SOLAR ENERGY LOCAL LAW #1 – 2017

The correction is on an error stating that the special permit review goes to the Planning Board whereas it should actually go to the Zoning Board.

Schedule a Public Hearing to amend the previous Local Law for the April 6<sup>th</sup> Work Session with adoption scheduled for the April 13<sup>th</sup> Regular Meeting.

### PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie reported that he was in Albany for **Advocacy Day** to ask for more **CHPS** Funds.
- Mr. Kie reported that there was an issue with a code violator who tried to remedy his violation by burning his trash. There was no water source nearby to put the fire out. The Sheriff was called. There was a discussion as to which entity should take control of a situation like this – who should issue a ticket? **Sheriff's Office**, **DEC**, Town Code, or Town Constable. If cited by **State Property Maintenance** code, the property owner would have 30 days to correct the problem.
- **New York State DEC Burn Ban** begins March 16<sup>th</sup> thru May 14.
- Staging has begun for the Water Line Project. Materials are arriving - pipe delivery was received today.

### CODE ENFORCEMENT

- Code Enforcement Rafferty reported that there have been too many violations.

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**ZONING**

Zoning Board Chair Jeanne Compton reported that there is a Zoning Board meeting scheduled for March 24 at 6 pm. to review the variance request for the Descipio property on Ferndale Drive.

**PUBLIC COMMENTS**

None being heard.

Councilman Gardner stated that the next **AOTV** meeting will be held on Thursday, March 26<sup>th</sup> at the **Riverdale**. Guest speaker will be Gerry Geist. He encouraged all to attend.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Gardner at 7:20 PM.

Respectfully submitted,

Susan M. Cerretani  
Town Clerk