

**April 12, 2021 – 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, April 12, 2021 via Zoom teleconference due to the COVID-19 pandemic.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/82166425245?pwd=S3RHdHUwbVICQ3J4djAwdzlhHdHFmdz09>

Meeting ID: 821 6642 5245

Passcode: 602101

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**The members of the Town Board present via Zoom were:**

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

**Also in attendance via Zoom:**

- Nathan D. VanWhy, Esq., Town Attorney**
- Susan M. Cerretani, Town Clerk**
- Code Enforcement Officer Stephen Rafferty, Public Works Commissioner**
- Joel Kie, Zoning Board Chair**
- Jeanne Compton, Planning Board Chair**
- Jerry Ford, Town Engineer**
- Ron Lake, Administrative Assistant**
- Bev Wike.**

**CHAIR**

**SUPERVISOR’S REPORT**

**April 2021, Supervisor’s Report**

1. 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.

**Supervisor’s Report**

1. Please take notice that we continue to maintain strict measures 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 both entrances and at the Town Clerk’s counter and the Old Front Street entrance. You

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**SUPERVISOR’S REPORT CONTINUED:**

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. Our town continues to operate under a State of Emergency due to the epidemic.

2. Bev Wike has put a hold on her retirement for now.
3. I reviewed the town credit card charges and found no issues.
4. I finally heard back from Bob Meade, commercial realtor, in regards to the vacant property next to our town garage. He wants to move the sale of the property next to our town garage forward. I will hand this issue to our town attorney to begin negotiations. I will have Steve Gardner meet with myself and Bev Wike once legal proceedings take place, and the selling price is agreed upon. Then it will be brought to our full board membership to discuss, approve, or not approve. I will check to see if we can use the American Rescue money for this sale.
5. There have been several meetings regarding the **American Rescue Bill** recently passed by Congress. There is a large amount of confusion in how the funds that will be dilled out to municipalities can be spent. This is a two-year program with 1 payment coming soon, the other next year.
6. Statement from Susan Pitely, **NYS Department of Transportation Analyst:** did ask our Public Involvement Officer Scott Cook, about the possibility of a Facebook page for the **PIN 904350**, which will be replacing the US Route 11 over I-81 bridge in your town. It is doubtful that we will be able to get permission to do that for this project. He and I discussed it, and we are thinking that the best alternative might be for him to email you schedule updates or other information that he is given. You could then post those updates to the town’s website or the town’s Facebook page to help keep your residents informed.

**Code Violations**

1. 338 Prospect St., large amounts of garbage being put out at the curb more than 24 hours prior to pick up. Cans being left behind at curb after pickup. All garbage not being placed in approved cans.
2. 156 Bigelow, large amount of garbage on property
3. 44-46 Sowden St., Appearance Ticket issued, various violations of the property Maintenance Codes
4. 255 L. Stella Ireland Rd., Appearance Ticket issued, various violations of the Property Maintenance Codes

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**SUPERVISOR’S REPORT CONTINUED:**

5. 561 Old Front St. issued an Appearance Ticket for various violations of the Sanitation Codes. This is the multi-colored house which is a point of contention with residents who live nearby.
6. 16 Twining Rd., multiple cars being worked on, not licensed, car parts and tires everywhere, wood scraps.

**DOG CONTROL MONTHLY REPORT**

**TOWN:** 15 calls: 8 for non-renewal of dog licenses. Complaint of resident having 3 dogs. Resident’s pit bull had a litter of pups but cannot find a home for 2 of them. Wanted the town to pick them up. Resident was informed that the town does not perform that service and he was put in touch with the Humane Society. Complaint of a neighbor allowing their 3 dogs to defecate on a wooded vacant piece of land. Letter sent to dog owner with a copy of town code pertaining to defecation and harboring 3 dogs.

**VILLAGE:** 5 calls: 3 for non-renewal of dog licenses. Ticket issued for not license of a second dog. Dog running loose, located the owner who lives in Binghamton.

**NYSEG UTILITY SHUTOFF NOTICES**

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

Our next Town Board Meeting is scheduled for May 3, 2021, 5:30 PM, via **Zoom**.

**PUBLIC COMMENTS:**

None being heard.

**COMMITTEE REPORTS**

• **PUBLIC WORKS**

- Councilwoman Exley reported that she met with Supervisor Marinaccio, Joel Kie, Stephen Gardner, and Beverly Wike on Friday to discuss a truck replacement plan. Highway Superintendent Kie would like to send the 3 GMC trucks (2007, 2008, & 2009) to auction and replace them with one truck.

The 2011 and 2012 F-550 trucks – one will be dedicated to the cemetery and will get rid of the other one.

Mr. Kie would like to purchase 2 trucks:

2022 F-650

2022 F-600

The cost of the 2 trucks – chassis, bodies, plus plows would be approximately \$202,000.

Financing must be in place before ordering.

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- **FINANCE**

- **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Gardner made a motion to accept the **March 2021 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,598.80** seconded by Councilman Morabito. All in favor.

- **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Gardner, seconded by Councilman Morabito to approve **abstract #04** dated **April 12, 2021** in the amount of **\$413,727.88**

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 \$413,727.88.**

**Voucher #04 for April 12, 2021 year in the amount of \$413,727.88:**

<b><u>General Fund</u></b>	<b><u>\$45,821.91</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$36,750.10</u></b>
<b><u>Fire Districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$2,508.19</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$267,869.86</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$60,779.82</u></b>

- **PERSONNEL**

- Cathy Bobourka will be leaving the part time court clerk position.

- **PLANNING**

- Chairman Ford reported that the Planning Board is still waiting for the site plan on the **Fairview Recovery** project.

- **ZONING**

- Chairperson Compton reported that the Zoning Board is at a standstill regarding the sign that was erected on Prospect St. because of **COVID** restrictions. She is of the understanding that a Public Hearing cannot be held via **Zoom**. Ms. Compton would prefer to wait until the board is able to convene in-person. Attorney VanWhy advised her that it is possible to conduct a Public Hearing under the Governor's order. Mr. VanWhy informed Ms. Compton that there is a time issue – the board has 62 days from the time the application is submitted to hold a hearing and make a decision unless the applicant agrees to an extension. Code Enforcement Officer Rafferty will reach out to have the applicant agree to an extension in writing.

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Supervisor Marinaccio commented that we will not be holding in-person meetings until it is safe to do so. The percentage of people that have been vaccinated in Broome County is 30% or lower right now.

**APPROVAL OF MINUTES**

On a motion by Councilwoman Exley seconded by Councilman Burns to approve the **March 1, 2021 Work Session Minutes, the March 8, 2021 Regular Meeting Minutes**. Roll call.

All in favor.

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

**ATTORNEY**

**RESOLUTION 2021-10**

The following Resolution was offered by Councilman 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:ADOPTING THE PUBLIC EMPLOYER HEALTH EMERGENCY PLAN 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 –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

**PUBLIC WORKS**

- Highway Superintendent Kie reported that one of the pumps at the Sunrise Terrace sewer station has failed and Danny Miller has asked for approval from the board to purchase a replacement at the cost of \$13,199.00.

**RESOLUTION 2021-11**

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: APPROVING THE PURCHASE OF A SEWER PUMP AT THE COST OF \$13,199.00.**

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.

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

All in favor

**RESOLUTION 2021-12**

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: DECLARING THREE (3) GMC VEHICLES (2007, 2008, AND 2009) AS SURPLUS TO PUT UP FOR AUCTION.**

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

**CODE**

Attorney VanWhy drafted a resolution for the board to consider regarding a code variance request for the Department of Transportation.

Resolution: Motion to grant the New York State Department of Transportation (“DOT”) request for a temporary suspension of the “Town Code Chapter 402 – Noise” time restriction during construction of the “US Route 11 (Front Street) over I-81 Bridge Replacement Project” to allow the DOT replacement project to proceed, subject to the condition that reasonable efforts be made by DOT and its contractors to undertake construction activities during normal business hours, and that between the hours of 10:00 pm and 7:00 am, Monday through Sunday, and between the hours of 10:00 pm and 9:00 am on any Sunday or holiday, work done be reasonably necessary at such times in order for the project to achieve its scheduled completion date.

The board members decided to table the resolution and seek to have the waiver narrowed down to a more specific time period.

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**PUBLIC COMMENTS**

None.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:06 PM.

Respectfully submitted,

Susan M. Cerretani, RMC  
Town Clerk