

December 13, 20201– 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, December 13, 2021 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

Meeting Link:

<https://us02web.zoom.us/j/83265537516?pwd=MFFOTFIDeGtCdFhpRGpPWWM5eXJSQT09>

Meeting ID: 832 6553 7516

Passcode: 364295

Dial in phone number: 1-646-876-9923

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:

Nathan D. VanWhy, Esq., Town Attorney
Susan M. Cerretani, Town Clerk
Wendi D. Evans, Deputy Town Clerk
Code Enforcement Officer Rafferty, Public Works Commissioner
Kie, Zoning Board Chair Compton, Planning Board Chair Ford
(Zoom), Honorable Justice Groover.

CHAIR

SUPERVISOR'S REPORT

Supervisor's Report December 2021

For those persons attending our meetings in-person, we ask that you wear a mask when entering our Town Hall. Anyone not vaccinated will be required to wear a mask. We will practice safe distance seating in our board room for those attending our town board, zoning board and planning board meetings. In the event of the County and or our Town calling a State of Emergency due to increases in **COVID-19** cases in the County, we will take appropriate action to keep our staff and residents as safe as possible including the cancelation of in person meetings. At the present time, **COVID** cases have increase and our local hospitals are at or close to full capacity.

Supervisor's Report

1. Just a reminder: Residents who fail to pay their water/sewer bills will be sent water turn off warning, and if bills are not paid, we will turn off their water until the bill is paid. This will start in January and will be strictly enforced.
2. I reviewed the town credit card charges and found no issues.

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SUPERVISOR’S REPORT CONTINUED:

3. I received the **Municipal Shelter Inspection report** from **NYS Agriculture and Markets** for the **Front Street Dog Shelter**. It was indicated that dog shelter services were rated “Unsatisfactory” for reasons indicated: repairs not done, when necessary, some kennels have chipped paint which expose a non disinfectable surface.
4. If you following the legal notices posted in the newspaper, you would have seen approximately 26 homeowners who are behind in their property taxes. Of those properties approximately \$2000.00 is owed to the town for water and sewer usage. This is a small example of our issues with residents not paying their water and sewer bills.
5. Discuss report from Code officer Steve Rafferty regarding 51 Pulaski. Also, let us discuss how we will handle Mr. Broward regarding 36 Pulaski.

CODE VIOLATIONS/APPEARANCE TICKETS

1. 16 N. Broome, zoning violation, raising chickens.
2. 48 Downs, building without a permit
3. 109 Adams Drive - added a shed roof to back of house, no permits issued
4. 557 Old Front Street - garbage piled on trailer

BUILDING PERMITS

1. 123 Rosedale - addition to home.

DOG CONTROL REPORTS

TOWN

NYSEG UTILITY SHUTOFF NOTICES

No notices received

NEXT TOWN BOARD MEETING

Our Next Town Board meeting is scheduled for Monday, January 3, 5:30 PM work session. This meeting will be in person and on **ZOOM** baring any technical and **COVID** issues.

PUBLIC COMMENTS

No comments.

COMMITTEE REPORTS

• **FINANCE**

○ **JUSTICE COURT REPORT**

Councilperson Gardner made a motion to accept the **October 2021 Monthly Financial Report** for the **Town Court** in the amount of **\$29,848.50** seconded by Councilperson Exley. State \$23,540.50 County \$53.75 Town \$6,254.25
All in favor.

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- **TOWN CLERK MONTHLY FINANCIAL REPORT**
Councilperson Gardner made a motion to accept the **November 2021 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,500.83** seconded by Councilperson Burns. All in favor.
- **SUPERVISOR MONTHLY REPORT**
Councilperson Gardner made a motion to accept the **October 31, 2021 Supervisor monthly report** in the amount of \$1,721,680.68 seconded by Councilperson Morabito. All in favor.

Councilperson Gardner made a motion to accept the **November 30, 2021 Supervisor monthly report** in the amount of \$1,611,668.70 seconded by Councilperson Exley. All in favor.

- **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Morabito to approve **abstract # 12**, dated **December 13, 2021** in the amount of **\$211,906.31**.
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 \$211,906.31.

Voucher #12 for December 13, 20201 in the amount of \$211,906.31:

<u>General Fund</u>	<u>\$95,323.68</u>
<u>Part Town</u>	<u>\$1,716.00</u>
<u>Highway</u>	<u>\$53,738.46</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$3,637.69</u>
<u>Sewer Operating Dist.</u>	<u>\$9,650.25</u>
<u>Water Operating Dist.</u>	<u>\$47,840.23</u>

- **PERSONNEL**

Councilperson Gardner reported that during the business portion of the meeting the Town Board will be voting on the authorization of Stacy Thatcher to fill the position of court clerk to replace Kendra Iannon who resigned from her position effective

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December 31, 2021. Ms. Thatcher will have a start date of January 3, 2022 at a starting salary of \$42,000 which is the same salary as the other court clerk is earning. Stacy comes highly recommended by Justice Groover. Mr. Gardner provided the board members with a copy of Ms. Thatcher’s resume and noted that she has a lot of skills and is gaining more education. He said he thinks she will be a great addition to help our current court clerk and wished Kendra, who did a good job while she was here, success in her new endeavors. Justice Groover was present on Zoom for any questions.

- **PLANNING BOARD**

- Nothing on the agenda for December.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **Work Session Minutes of November 1, 2021** and the **Regular Meeting Minutes of November 8, 2021**. All in favor.

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

All in favor.

ATTORNEY

RESOLUTION RE: PARKING ON ORCHARD RD.

RESOLUTION 2021–35

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

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

**RESOLUTION: SCHEDULE A PUBLIC HEARING FOR THE
JANUARY 3, 2022 WORK SESSION MEETING AT 5:30 ON LOCAL
LAW REGARDING PARKING ON ORCHARD RD.**

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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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor.

RESOLUTION SELF HELP PROJECTS

RESOLUTION 2021-36

The following Resolution was offered by Councilperson Gardner, 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:

RESOLUTION: AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A CONTRACT AWARDING THE 2022-2024 SELF HELP PROJECTS TO R. DEVINCENTIS CONSTRUCTION INC WHO WAS DETERMINED TO BE THE LOWEST RESPONSIBLE BIDDER IN ACCORDANCE WITH NY STATE COMPETITIVE BIDDING LAWS

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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor

RESOLUTION 2021-37

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:

RESOLUTION: AUTHORIZATION TO HIRE STACY THATCHER FOR COURT CLERK REPLACING KENDRA IANNON WHO IS RESIGNING EFFECTIVE DECEMBER 31, 2021.

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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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor

Attorney VanWhy apologized to Clerk Cerretani that he did not alert her to place on the agenda a discussion to go into executive session regarding potential litigation.

Supervisor Marinaccio asked for a motion to go into an executive session at the end of the meeting as announced by Attorney VanWhy for the purpose of possible litigation. On a motion by Councilperson Morabito seconded by Councilperson Gardner to go into Executive Session.

All in favor.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner reported that the Highway Department is finishing up leaf pickup. He noted that a tree came down over the weekend.
- On a motion by Councilperson Exley seconded by Councilperson Burns to approve a 3-year trade-in of the **John Deere 444K Loader** plus the balance not to exceed \$148,449.37. All in favor.
- Mark Cummings last day was last Friday.
- Danny Miller and Billy’s last day will be Christmas Eve.
- The Highway Department will need another person after the first of the year.

ZONING

Chairman Compton stated that there is a problem in that people have projects done before they apply for permits. This has happened three times in the last year. Supervisor Marinaccio stated that there should be consequences and will ask for guidance from the attorney.

CODE

Code Enforcement Officer Rafferty reported that there are mattresses, junk, toys, plywood, boxes, and a kitchen sink at the 51 Pulaski Street property. Supervisor Marinaccio stated that the property is owned by the County. He suggested we write a violation to the County and send to Director of Real Property Mike Decker. Code Enforcement Officer will call Mike Decker first before we write them up.

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The meeting was adjourned to Executive Session on a motion of Councilperson Morabito and seconded by Councilperson Burns at 6:40 PM. All in favor.

The meeting entered out of Executive Session and back into regular session on a motion of Councilperson Morabito and seconded by Councilperson Burns at 7:00 PM. All in favor.

On a motion of Councilperson Morabito and seconded by Councilperson Exley to schedule a public hearing for January 3, 2022 regarding the 36 Pulaski Street property. All in favor.

The meeting was adjourned on a motion of Councilperson Morabito and seconded by Councilperson Gardner at 7:02 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk