

November 14, 2022 - 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, November 14, 2022, in the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/87143482682?pwd=OGR5bm02U1ladFhxVkFKUjVUZUVpUT09>

Meeting ID: 871 4348 2682

Passcode: 294663

Phone: 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., Attorney for the Town
Susan M. Cerretani, Town Clerk
Broome County Parks, Recreation & Youth Services Director
Elizabeth Woidt, Public Works Commissioner Joel Kie, Code
Enforcement Officer Stephen Rafferty(zoom), Zoning Board Chair
Jeanne Compton, Planning Board Chair Jerome Ford (zoom),
Code Officer Kyle Doyle (zoom), Town Engineer Ronald Lake, and
resident Jim Love.**

BROOME COUNTY EXECUTIVE BUDGET ADDRESS

Broome County Parks, Recreation & Youth Services Director Elizabeth Woidt presented an abbreviated version of the 2023 County Budget. Some of the highlights included:

- When Jason Garnar took office the fund balance was two hundred forty thousand dollars. Over the last five years grow fund balance to over thirty-five million dollars
- Proposing the fifth consecutive tax cut to county residents
- Major companies: Amazon distribution center, FedEx, BU energy storage technology
- American Rescue Plan Funds invested
- Dick's Sporting goods opening the largest store in the nation
- Oakdale Commons
- Airport – Avelo airline offering new service direct flight to Florida
- Housing units in the works – EJ Victory building, IBM Country Club turned into affordable housing
- DPW – road and bridge infrastructure improvements
- The budget proposes a new multi-use building, outdoor ice rink, and a state-of-the-art wiffle ball stadium at Grippen Park; new turf fields and lighting at BAGSAI softball complex.
- Spiedie Fest, Festival of Lights, and Beach Bash
- Twin Tiers Honor Flight – enhancing services for our veterans.
- School Bus STOP arm program

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- \$1 million to the Small Community Fund Program (Will fund nearly sixty projects)
- Supports the Sheriff's Office
- Strengthening substance use disorders programs and services and mental health programs
- Emergency Communications network

Resident Jim Love asked Ms. Woitd about the proposed turf and lighting for the BAGSI complex. The fields will be completed as early as June. There will be a curfew and they will be very respectful of the neighborhood regarding noise and lighting.

Supervisor Marinaccio brought up drainage concerns. Ms. Woitd reassured the Supervisor that the engineers will address those concerns and follow the strict regulations.

The new dog park will be built at Otsiningo North in the spring of 2024.

November 2022 Town Board Meeting Supervisor's Report

1. The third-quarter sales tax for our town is \$\$290,614.21. The total so far for this year is \$827,855.51. We budgeted \$900 K for 2022 so we are on track to meet that projection.
2. I reviewed the credit card monthly charges and found no issues.
3. Joel and I will be meeting with Mayor Kraham regarding snow and ice maintenance on the all-purpose trail from Bevier St. to the city line. We will also be reviewing the amount of waste that flows from the Legacy Apartment Complex on Glenwood Rd. through our sewer lines.
4. The **Sunrise Terrace Association** held their second annual trunk or treat event in the town hall parking lot on Oct. 29 and was well attended by various members of the community.
5. Joel and I have been discussing the lighting around and near the new traffic circles in regard to illumination of that area with several **NY D.O.T** engineers. They will perform an illumination reading and discuss the results with us. There are a number of streetlights that remain out and in addition, there will be added lighting on all purpose trail.
6. Thank you to the Village of Port Dickinson for acknowledging in their Village Newsletter the assistance that we give them through our Public Works department.
7. In the **Port Dickinson Fire Department** newsletter, they are looking for volunteers to fill various position within the department.

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SUPERVISOR'S REPORT CONTINUED:

8. I met with Joann Arnold, a resident of Sunrise Terrace, regarding a plan that she is working on for a **Cutler Pond Day** to be held at our park. It is a large event, and she will coordinate it with the Sunrise Terrace Association officers. The planned date is September 16, 2023.
9. We received a check from **Comp Alliance** for \$3,155 for qualifying for a Safe Workplace Award.
10. I had a brief discussion with **SUNY Broome** President Kevin Drum, and he informed me that the college is close to finalizing the purchase of the Boland property which is behind **Chenango Shores**. The plans are to build town houses for student housing. Not sure of the timeline. I will be having a more formal discussion with Kevin in the very near future.

Code Violations/Appearance Tickets

1. 603 Old Front St., building permit for a garage construction project not picked up or paid for.
2. 155 Glenwood Rd., building permit not picked up or paid for.
3. 87 Terrace Dr., building permit not picked up or paid for
4. 25 Boland Rd., building permit not picked up or paid for
5. 39 N. Moeller, has not picked up to pay for building permit
6. 22 Longview, tall weeds and grass
7. 62 Sowden, TV and storm door laying out by the curb, not picked up.
8. 37 Adams St., tall weeds and grass
9. 7 Francis St., debris and garbage on front porch and alongside of house and driveway
10. 44-46 Sowden, shopping carts and other debris being stored alongside of the house and privacy fence
11. 44-46 Sowden, Appearance Ticket issued for above violations
12. 33.5 Pulaski, high grass and garbage 351 prospect, office chair at curb, tall weeds and grass
13. 561 Old Front St., large amount of yard waste at rear of property
14. 20 N. Broad, open burning of leaves, fire department responded, tall weeds and grass
15. 323 L Stella Ireland, mattress at curb, not picked up
16. 146 Glenwood Rd., mattress at curb, not picked up
17. 15 Stearns, roof installed by Alpha Roofing without a permit
18. 650 Old Front St., 12 unregistered vehicles on the property
19. 4 Broad St., Appearance Ticket issued, sanitation issue
20. 601 Old Front St., Appearance Ticket issued, tree branches stored on front lawn
21. 74 Old State Road, Appearance Ticket issued, trash and debris out in front in front of property and side porch

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SUPERVISOR'S REPORT CONTINUED:

22. 33 N. Broad, Appearance Ticket issued, tall grass and weeds, trash can full of garbage on front porch, plywood stacked on front porch
23. 4 JT Blvd, Appearance Ticket issued, shed roof, exterior and doors need work done
24. 119 Glenwood Rd., Appearance Ticket issued, trash piled on front porch
25. 15 Longview, trash and debris piled along the driveway and side of the home
26. 33 Stearns, tall weeds and grass
27. 35 Pulaski, garbage piled in driveway and along the house
28. 16 Francis St., large piles of trash and debris alongside of the property
29. 48 Downs, appliances and debris in side driveway
30. 29 Pulaski, trash and debris along the rear and side of the property

Building Permits

1. 12 Pleasant Court, garden shed
2. 864 Front St., sign for Visions Hotel owner

Dog Control Officer Reports

TOWN: Total number of incidents, 9. Dog bit one of our public works staff while dropping off a water shutoff notice, missing dog, 2 no dog licensing issues.

VILLAGE: Total number of incidents, 7. Barking issue, 6 no dog licensing issues.

NYSEG UTILITY SHUTOFF NOTICES:

No notices received

NEXT TOWN BOARD MEETING

Our next Town Board meeting is scheduled for Monday, December 5, 5:30 pm work session.

PUBLIC COMMENTS:

Resident Jim Love said hats off to the Public Works Department for the fall leaf pickup. Supervisor Marinaccio commented that he has received several calls thanking the Highway Department for doing such a great job. The last day for yard waste pickup is officially today.

COMMITTEE REPORTS

• **PUBLIC WORKS**

- Councilperson Exley reported that last week at 5:37 am a **Bert Adams** truck was on Maiden Lane picking up garbage. When the Bert Adams office was contacted about this, the reply was that they have no control of their employees and what time they

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pick up the garbage. Councilperson Exley noted that there is never an issue with **Taylor Garbage**. Attorney VanWhy stated that we have a town code with an ordinance that prohibits noise between certain hours, and if this happens again, he suggested that Ms. Exley complain, and the code department will then issue a ticket.

• **FINANCE**

○ **JUSTICE COURT REPORT**

Councilperson Gardner made a motion to accept the **September 2022 Monthly Financial Report** for the **Town Court** in the amount of **\$19,531.00** seconded by Councilperson Exley. \$12,203.00 State, \$7,238.00 Town, \$90.00 County.

All in favor.

Supervisor Marinaccio stated that the Justice Court’s missing May report has not been submitted yet. Research has been done with the help of an auditor and it should be resolved soon.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **October 2022 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,689.60**. On a motion by Councilperson Gardner seconded by Councilperson Morabito. All in favor.

○ **SUPERVISOR’S REPORT**

Councilperson Gardner made a motion to accept the **November 2022 Monthly Financial Report** for the **Town Supervisor** in the amount of **\$2,166,020.83** seconded by Councilperson Burns. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **abstract # 11**, dated **November 14, 2022**, in the amount of **\$247,464.94**. 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 \$247,464.94:

Voucher #11 for November 14, 2022, in the amount of \$247,464.94.

<u>General Fund</u>	<u>\$41,454.06</u>
<u>Part Town</u>	<u>\$46.00</u>
<u>Highway</u>	<u>\$80,587.49</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$4,484.67</u>
<u>Sewer Operating Dist.</u>	<u>\$6,525.91</u>
<u>Water Operating Dist.</u>	<u>\$114,366.81</u>

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- **PERSONNEL**

- Councilperson Gardner had nothing new to report.

- **PLANNING**

- Planning Board Chair Jerry Ford reported that there is a Planning Board meeting with a public hearing scheduled for November 28th at 6 pm. Mr. Ford reported that he will be addressing comments from the last meeting and is cancelling the third solar project until the December meeting. There will be an attorney client session at the Planning Board meeting.

APPROVAL OF MINUTES

On a motion by Councilperson Gardner seconded by Councilperson Exley to approve the **October 3, 2022, Work Session Meeting Minutes, and the October 11, 2022 Regular Meeting Minutes**. All in favor.

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

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

All in favor.

ATTORNEY

2023 BUDGET

RESOLUTION 2022-42

Supervisor Marinaccio commented that we held the Public Hearing on the 2023 Budget last week.

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:

RESOLUTION: ADOPTING THE 2023 BUDGET

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.

The 2023 budget is available to view in the Town Clerk's office and posted on the Town of Dickinson website.

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RESOLUTION 2022 – 43

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: A LOCAL LAW AMENDING CHAPTER 528 OF THE TOWN CODE ENTITLED ‘VEHICLES AND TRAFFIC’ TO PROHIBIT PARKING NEAR FIRE HYDRANTS

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 Aye
Councilperson Burns voting Aye

All in favor.

RESOLUTION 2022 – 44

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

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

RESOLUTION: A LOCAL LAW AMENDING CHAPTER 484 OF THE TOWN CODE ENTITLED “STREETS AND SIDEWALKS”

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 Aye
Councilperson Burns voting Aye

All in favor.

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RESOLUTION 2022 – 45

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: APPROVING THE PURCHASE OF THE PROPERTY LOCATED AT 541 OLD FRONT STREET FOR THE PURCHASE PRICE OF \$80,000 TO INCLUDE AN EASEMENT OF 12 FEET OFF THE NORTHERLY PROPERTY LINE.

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 Aye
- Councilperson Burns voting Aye

All in favor.

RESOLUTION 2022 – 46

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: SCHEDULE A PUBLIC HEARING FOR DECEMBER 5, 2022 WORK SESSION AT 5:30 PM REGARDING THE FIRE PROTECTION DISTRICT 3 CONTRACT

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 Aye
- Councilperson Burns voting Aye

All in favor.

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RESOLUTION 2022 – 47

The following Resolution was offered by Councilperson Exley, who moved its adoption, seconded by Councilperson Gardner 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 DECEMBER 5, 2022
WORK SESSION AT 5:35 PM REGARDING THE INSTALLATION OF
THREE LIGHT POLES ON PHELPS STREET**

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 Aye
Councilperson Burns voting Aye

All in favor.

PUBLIC WORKS

- Public Works Commissioner Kie reported that today was the last day for yard waste pickup.
- The Highway crew is still picking up leaves and will probably continue for another week.
- Mr. Kie was alerted that there are broken rails on the new wooden fence that has been installed along the walking trail.
- Public Works Commissioner Kie asked for board approval to sell two trailers and declare as surplus as they are no longer needed.
 - On a motion of Councilperson Exley and seconded by Councilperson Burns to declare two Highway Department trailers as surplus. All in favor.
- The salters are on the trucks.
- Mr. Kie stated that they might make one more attempt at picking up the yard waste.

ZONING

Nothing to report.

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

Respectfully submitted,

Susan M. Cerretani
Town Clerk