

**February 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, February 14, 2022 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.**

<https://us02web.zoom.us/j/89256938016?pwd=T3gzSF16cnkzVkhEUm11ZGtvdz09>

Meeting ID: 892 5693 8016

Passcode: 226843

Phone in 1-646-876-9923

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

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

**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, and one member of the general public.**

**CHAIR**

**SUPERVISOR’S REPORT**

**Supervisor’s Report  
February 2022**

For those persons attending our meetings in-person, we ask that everyone continue to wear a mask when entering our Town Hal at this time. We will continue to 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 decreased significantly, and our local hospitals capacity has increased.

**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
3. The Town Planning Board held their January 24<sup>th</sup> meeting via ZOOM. Jerry Ford was re-elected as Chairman and Hans Van Houton was re-elected to serve as Co-Chair.
4. Chairman Ford would like to have Planning Board By-laws/Protocols put in place to assist them in determining various timelines and guidelines related to various projects that come

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**SUPERVISOR’S REPORT CONTINUED:**

before them. There was also a discussion on the status of the **Fairview** proposal, site plans, status, etc. Steve Rafferty has been able to get Fairview to submit revised plans including lighting specs that will assist in finalizing this project. Chairman Ford will be submitting an article for the Town Newsletter regarding the Solar project that was recently finalized by the planning board.

5. We are still seeing police being called to the **EconoLodge**. I believe that the last call was for a medical issue and not necessarily a hotel occupant.
6. I noticed that several staff and town officials attended the mandated NYMIR Sexual Harassment class held about 2 weeks ago. Those of you who have not taken the class, please go to the NYMIR website to review future classes.
7. The **Annual Code & Enforcement Report** was sent out by Steve Rafferty and accepted by the **Uniform Code & Energy Administration of New York**.
8. We received a check from the Broome County Sheriff’s office for \$16,128.06 for the fourth quarter of 2021 for Inmate House agreement.
9. I will be asking the board to go into Executive Session to discuss a personnel issue.

**Code Violations/Appearance Tickets**

1. 156 Bigelow, front steps unsafe. Waiting for property owner to repair sewer line, clean up property which has extremely large amounts of garbage around it as well as garbage stored in the garage.
2. 847 Front St., bed, furniture, and various debris at the curb for two weeks, not picked up
3. 347 Prospect St., snow not removed from sidewalk

**Building Permits**

1. 704 Old Front St., **Speedway**, permit for signs

**Dog Control Reports**

**TOWN:** one call, dog running at large, spoke to owner of the dog, also issued two harboring notices

**VILLAGE:** two calls, pit bull running loose, found, and captured, transported to shelter. Issued a ticket to the owner of the pit bull.

**NYSEG UTILITY SHUTOFF NOTICES:**

No notices received

**Next Town Board Meeting**

Our next Town Board meeting is scheduled for Monday, March 7, 5:30 PM work session meeting. This meeting will be in person and on **ZOOM** barring any technical and or COVID issues.

**PUBLIC COMMENTS:**

None being heard.

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**COMMITTEE REPORTS**

• **PUBLIC WORKS**

Nothing to report at this time.

• **FINANCE**

○ **JUSTICE COURT REPORT**

Councilperson Gardner made a motion to accept the **December 2021 Monthly Financial Report** for the **Town Court** in the amount of **\$16,723.00** seconded by Councilperson Morabito. State \$13,161.00 Town \$3642.00  
All in favor.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **January 2022 Monthly Financial Report** for the **Town Clerk** in the amount of **\$713.00** seconded by Councilperson Burns. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Exley to approve **abstract #02** dated **February 14, 2022** in the amount of **\$244,488.63**.

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 \$244,488.63.**

**Voucher #02 for February 14, 2022 year in the amount of \$244,488.63.**

<b><u>General Fund</u></b>	<b><u>\$80,788.53</u></b>
<b><u>Part Town</u></b>	<b><u>\$21.99</u></b>
<b><u>Highway</u></b>	<b><u>\$32,493.14</u></b>
<b><u>Fire Districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$4,465.86</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$6,079.66</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$120,639.45</u></b>

Supervisor Marinaccio reported that the fourth quarter Traffic Diversion Program came in at \$18,699.00 and the fourth quarter sales tax came in at \$264,693.00.

• **PERSONNEL**

Nothing to report at this time.

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Councilman Morabito asked to enter into the minutes the receipt of the **Prospect Terrace Fire Company Length of Service Awards**. Copy on file.

**APPROVAL OF MINUTES**

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **January 3, 2022 Work Session Minutes, the January 10, 2022 Regular Meeting Minutes**. All in favor.  
Vote-5 Ayes, Nays-0, Absent-0.

**ATTORNEY**

**RESOLUTION 2022-6**

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: ADOPTING LOCAL LAW #2-2022 ENTITLED “A LOCAL LAW AMENDING CHAPTER 294 OF THE TOWN CODE ENTITLED ‘FENCES’”**

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 2022-7**

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: APPROVING CABLE FRANCHISE AGREEMENT.**

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

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**RESOLUTION 2022-8**

Supervisor Marinaccio noted that there are some minor changes to the Town of Chenango/Town of Dickinson water agreement and there is an increase in the cost of the water.

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: APPROVING TOWN OF DICKINSON AND TOWN OF CHENANGO WATER AGREEMENT FOR 2022.**

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 2022-9**

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: APPROVING THE PURCHASE OF PROPERTY LOCATED AT 541 OLD FRONT STREET, TAX MAP #144.41-1-20.0 FOR THE AMOUNT OF \$80,000.**

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 stated that the next step is to have Supervisor Marinaccio sign the contract and the other party sign and continue as a real estate transaction.

**SMOKE FREE GROUNDS POLICY**

Clerk Cerretani provided the Board members with a **Smoke Free Grounds** information packet. Supervisor Marinaccio asked the board members to review the information to discuss changes to our current policy at the next work session. Mr. VanWhy asked Clerk Cerretani to locate the Town’s current policy and distribute to the members. Attorney VanWhy suggested that we keep the policy broad. He stated that ‘No Smoking’ covers cannabis, tobacco, and any other

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substance to come along in the future. If the board members have any input, it can be discussed at the next work session. Supervisor Marinaccio would like to have a discussion regarding prohibiting smoking on town hall grounds as well as other town properties. Attorney VanWhy said that it makes a lot of sense, but it would be an enforcement issue. Most of the smoking occurs on days when court is in session, and we might be able to get assistance from the police officer on duty to enforce the policy.

Mr. VanWhy stated there is already a general prohibition on smoking within a certain number of feet of a government facility's door so it might be as simple as putting out signs reminding people of that and asking them to respect the request.

### PUBLIC WORKS

- Highway Superintendent Kie reported that Water Department Superintendent Matt Fitzpatrick responded to another water break on Ferndale Drive between Iris and Rosedale Drive. It was repaired quickly and did not impact water service.
- Mr. Kie asked the Board's approval for the purchase of a **Neptune hand-held meter reader** for reading the water meters. It is an update to what we currently have. The cost is \$9,233.50. Software is not included. The item has been budgeted for. On a motion by Councilperson Burns and seconded by Councilperson Exley. All in favor.
- Mr. Kie asked for Board approval to purchase a **Dual Correlator System** to help the water department locate breaks. The item is in the budget. The cost of the system is \$24,685.00. Mr. Kie stated that when we outsource to find a water break the cost is \$2,000/hr. We have already had seven water breaks this year, so it makes economic sense and is cost effective to have our own system. Attorney VanWhy asked what process is being used to procure the item. Public Works Commissioner Kie stated that there is only one manufacturer for the product. Mr. VanWhy then stated that because it is a specialty piece of equipment it may be purchased as a sole source procurement. He then asked Mr. Kie to supply backup documentation to the Town Clerk for filing. On a motion of Councilperson Gardner and seconded by Councilperson Burns approving the purchase of a **Dual Correlator System** at a cost of \$24,685.00. All in favor.
- Public Works Commissioner Kie asked for Board approval to upgrade the **PRV (Pressure Reducing Valve) Station** at Sunset and Glenwood Roads at a cost of \$80,000. Mr. Kie stated that it has been temporarily repaired. Supervisor Marinaccio commented that the American Rescue Funds are available for this project and two or three other projects. We are looking at putting a roof protector and gutters on the Town Hall at a cost of twenty to twenty-five thousand dollars come spring. On a motion of Councilperson Morabito and seconded by Councilperson Burns to approve the upgrade to the **Pressure Reducing Valve Station** at a cost of \$80,000. All in favor.

### ZONING

Zoning Board Chair Compton will get with the Zoning Board members to schedule a hearing the beginning of March regarding 48 Downs Ave.

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**PUBLIC COMMENTS**

Resident Jim Love asked Mr. Kie if he considered cost sharing with other municipalities. He responded that they have and the other municipalities either do not want to or they do not have the money.

The meeting was adjourned into Executive Session on motion of Councilperson Gardner and seconded by Councilperson Exley at 6:47 PM to discuss a personnel matter.

The Executive Session adjourned at 7:02 PM and returned into regular session.

**RESOLUTION 2022 – 10**

The **Broome County Dog Shelter Contract** is a 6-year contract that runs from 01/01/2022 through 12/31/2022. The first year starting 01/01/2022 is in the amount of \$7,672.00. The following years' costs will be adjusted annually in accordance with the **CPI** of June the previous year.

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: APPROVING THE RENEWAL OF THE BROOME COUNTY DOG SHELTER 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 voting Aye  
Councilperson Burns voting Aye

All in favor. Contract on file in the Clerk's Office

The Board voted unanimously to give Jason Delanoy a \$2.00 per hour increase in salary effective February 19, 2022.

The meeting was adjourned on a motion by Councilperson Morabito and seconded by Councilperson Exley at 7:07 PM.

Respectfully submitted,

Susan M. Cerretani, RMC  
Town Clerk