

April 4, 2022 - WORK SESSION

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, April 4, 2022 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/89758723141?pwd=eDNIRIJ4d2Y3cnV6cTBZNFAyeFA5dz09>

Meeting ID: 897 5872 3141

Passcode: 216713

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 attending:

Nathan D. VanWhy, Esq., Attorney for the Town
Susan Cerretani, Town Clerk

Also in attendance:

Public Works Commissioner Joel Kie, Administrative Assistant Beverly Wike, Code Enforcement Officer Steve Rafferty, Zoning Board Chair Jeanne Compton, and one resident.

CHAIR

SUPERVISOR'S WORK SESSION REPORT

April 4 Town Work Session
Submitted by Supervisor Michael Marinaccio

1. I received a call from the owner of the property where the solar farm is to be located and the Planning Board recently agreed on the site plan. The question by the owner was in regard to decommissioning bond that will be required by the project managers. The bond is a percentage based on the value of the project with various factors that are used to calculate the value that includes the KWH that are produced at this site. I told the property owner that this is a Standard Operating Procedure and the cost to clean up an abandoned solar farm would be extremely expensive.
2. The Town Newsletter is printed and should be mailed out very soon if not already.
3. We will be going into Executive Session following our meeting tonight to discuss a very serious personnel issue in our court operation. Board members, Joel, Sue, Steve Rafferty, Jeanne, and any town officer/official that is present here today should attend. Judge Groover will be present for discussion and address any questions.

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SUPERVISOR'S WORK SESSION REPORT CONTINUED:

4. I spoke to the general manager of the **Regal Theaters** regarding the car meets that were taking place in the theater and **Cracker Barrel** parking lots. I voiced my concerns about various issues that were taking place during these meets. I also reminded the GM that the entire Gardens Complex is a **PUD (Planned Unit Development)**, and the parking spaces were included in the **PUD** agreement. I also sent a message to **Realty Income** who manages parts of the Gardens property. The Regal Manager, Chad Miller has agreed that these events will not be given permission to use the parking lots for their meets.
5. The Regal Movie Theater has applied for a permit to serve beer and alcohol.

AMERICAN RESCUE FUNDS

Supervisor Marinaccio stated that we have American Rescue Funds in the bank with a second check coming totaling \$356,000.

Supervisor Marinaccio reported that he sat down with Public Works Commissioner Kie and discussed what we may use the money for:

- Neptune MRX Handheld \$9,200
- Dual core system \$24,600
- Town Hall gutters (estimated) \$22,000
- Pine View water line replacement \$98,700
- Glenwood pressure pit \$80,000

Bringing it to a total of \$266,000 that leaves us with \$89,600. We cannot use the money to pay down debt.

Supervisor Marinaccio asked Councilpersons Exley and Burns to sit with Public Works Commissioner Kie to discuss these projects.

DASNY GRANT

Supervisor Marinaccio stated that the seven ½ year-old **DASNY Grant** has been approved. He and Bev worked together addressing inquiries from the **DASNY** accounting department.

The total grant was \$50,000. We have spent \$46-\$47 thousand dollars of the \$50,000 for the doors and security system. We are now waiting for the check.

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ATTORNEY

SEWER RATE INCREASE

Attorney Van Why stated that we need to put a sewer rate increase plan in place to take effect June 16th.

At the next regular meeting Attorney VanWhy will be asking the board to schedule a public hearing at the May work session so that we can take action at the May regular session so that the increase can take effect on June 16th.

Because of the board's previous actions modifying the Town Code, we are able to modify rates by resolution instead of by Local Law.

RED ROOF INN ISSUES

Mr. VanWhy, Supervisor Marinaccio, and Public Works Commissioner Kie are to have a meeting with the property owner of the Red Roof Inn on Wednesday at Attorney VanWhy's office to discuss issues and to go over what the town's concerns are and to see what further steps are needed.

TIME WARNER/SPECTRUM ASSESSMENT LAWSUIT

Attorney VanWhy explained that the Town has received a complaint from **Time Warner** regarding a **Special Franchise Assessment Appeal**. **Time Warner** has infrastructure in practically every town, city, and village in the state of New York; therefore, most of the municipalities in the area have received this same notice. There might end up being a joint defense amongst some coalition of municipalities.

The cable franchise is regulated by the **PSC**, and they are assessed by the State.

The complaint goes to the State, but we get caught up in it because the local assessor uses the State's assessment to bill them and collect against them; therefore, we are named as defendants.

Mr. VanWhy stated that we should look for an email from Attorney Cortese within the next week or so as he will be handling the court dated response and will be providing his assessment and recommendation. We Have until April 22nd to sign and return the complaint.

PUBLIC WORKS

Public Works Commissioner Kie reported:

- Yard waste pickup started today.
- Asphalt plants opened today.
- The new trucks we ordered might get built this month and we might have them by May.

CODE

Nothing to report.

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Supervisor Marinaccio received an email from a Pulaski Street resident complaining about garbage rates. After much back-and-forth discussion Supervisor Marinaccio advised her to contact her garbage hauler.

ZONING BOARD

Zoning Board Chair Compton had nothing to report.

Resident Jim Love stated that he received a letter from the **New York State Department of Transportation** regarding the roundabout project. He asked if opening up an emergency exit is part of the plan. Supervisor Marinaccio stated that is not part of the plan and from all the information he has received, it is not going to happen. The current project is expected to be pretty much done by the end of September which includes the roundabouts. In the meantime it is going to be a little bit of a pain for the **Sunrise Terrace** residents – they will have to go north to go south. Mr. Marinaccio stated that all in all he thinks the project has gone quite well and only wishes that the potholes would be addressed quicker.

On motion by Supervisor Marinaccio, the work session was adjourned into **Executive Session** to discuss a serious personnel issue in the court office on a motion from Councilperson Gardner and seconded by Councilperson Exley at 6:00 PM. All in favor.

On a motion by Councilperson Morabito and seconded by Councilperson Exley to return into regular session at 6:21 PM. All in favor.

On a motion by Councilperson Morabito and seconded by Councilperson Gardner to adjourn at 6:22 PM. All in favor.

Respectfully submitted,

Susan M. Cerretani, RMC
Town Clerk