

September 11, 2023- WORK SESSION & REGULAR MEETING

The Work Session and Regular Meetings of the Town of Dickinson Town Board was called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, September 11, 2023, in the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom teleconferencing.

<https://us02web.zoom.us/j/85266456098?pwd=WHkwdVZZYmFsRUllcVN4N2OyUENCdz09>

Meeting ID: 852 6645 6098 Passcode: 261591

This is the third of the regular meetings of the summer schedule of July, August and September combining our Work Session with the Regular Meeting on the second Monday of those months with a start time of 5:30 P.M.

The members of the Town Board present were:

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

Also attending:

**Keegan Coughlin, Esq., Town Attorney
Wendi Evans, Town Clerk
Public Works Commissioner Joel Kie, Code Enforcement Officer Kyle
Doyle, Town Engineer Ron Lake, 4 Residents/Guests**

SUPERVISOR'S MONTHLY REPORT September 2023 Town Board Meeting

Please join me in thoughts and prayers for the victims of the 911 attack on our country.

1. Due to extraordinary circumstances for both Council Persons Sharon Exley and Steve Gardner, today's meeting is on ZOOM.
2. I reviewed the credit card monthly charges and found no issues.
3. There will be some members of the NY Citizens Audit on the October 2 work session agenda to speak about discrepancies in elections. I informed them that they will have about 15 minutes to make their presentations with any questions that anyone may have following the presentation.
4. The family of the person who has been occupying the bus shelter have been found. They live in Ohio where the shelter person is from. An uncle is taking Earl back to Ohio. Thanks to the sheriff's department and others for the wonderful efforts to help Earl. It's an amazing story. The person left the shelter late Friday.

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5. I was informed that Habitat for Humanity will be building their 3rd home on Linda Dr. I directed them to Kyle and Joel to make sure all permits, and any other construction concerns and procedures are addressed.
6. Sewage Treatment Plant net refund of \$70,806.05 will be applied to the 4th quarter estimated billing of \$244,663.00 with a balance of \$173,856.95.
7. We received a franchise fee from Charter for the amount of \$7,884.68.
8. The walk bridge demolition project will begin soon. This board will consider approving a request from the contractor not to enforce our noise ordinance during the demolition.
9. We are reviewing a counter proposal for water supply from the Town of Chenango and will hopefully ask the board to approve a contract for either the City of Binghamton or Town of Chenango proposals in the very near future.
10. Due to the increase in the cost for residential water meters by our supplier from \$145 to \$175, I am asking the town board to authorize charging the residents \$180 when a meter needs to be replaced.
11. The Town Court offices will be closed from September 18 through the 20th due to a court clerk conference.
12. I participated in a round table discussion that was held in the state office building and was coordinated by Senator Webb. Town of Binghamton, City of Binghamton, Town of Dickinson, Village of Endicott and Town of Vestal attended. It was an open discussion on issues that the state needs to be aware of that have negative impacts on our municipalities. Tax cap, our courts revenue stream, housing, code violations, and the protection of home rule.

Code Violations/Appearance Tickets

Violations	
Property	Type
42 Sowden St	Tall weeds & grass
15 Longview Ave	Tall weeds & grass
12 Longview Ave	Tall weeds & grass
17 Bellaire Ave	Tall weeds & grass
53 Adams St	Trash & Debris
33.5 Pulaski St	Tall weeds & grass
39 N Moeller St	Tall weeds & grass
609 Old Front St	Roof completed without building permit

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700 Old Front St	Trash & Debris
22 N Louisa St	Tall weeds & grass
6 Linda Dr	Tall weeds & grass
24 Adams St	Tall weeds & grass
315 Ferndale Dr	Unpermitted Temporary Structure
36 N Broad St	Unpermitted Temporary Structure
128 Iris Dr	Deck without building permit
33.5 Pulaski St	Roof completed without building permit
50 Pulaski St	Tall weeds & grass / Trash & Debris
31 Pulaski St	Tall weeds & grass
60 Sowden St	Trash & Debris
33.5 Pulaski St	Trash & Debris
42 Sowden St	Trash & Debris
48 Sowden St	Trash & Debris
52 Sowden St	Roof completed without building permit
Permits Issued	
Property	Type
214 John St	Addition
84 Old State Rd	Addition
128 Iris Dr	Deck
609 Old Front St	Roof
33.5 Pulaski St	Roof
725 Old Front St	Stairs and Garage Alteration
707 Old Front St	Deck
25 Boland Rd	Shed
31 Longview Ave	Fence
Appearance Tickets	
Property	Type
21 N Broad St	Shed installed with no building permit
33.5 Pulaski St	Illegal Burning
Fire Inspections	
Property	Type

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Dog Control Officer Reports:

New and abbreviated format: 3 stray dogs, 2 dogs transported to the shelter, 4 calls regarding other animals, 12 calls for other towns, calls were redirected, 28 phone calls received, 53 calls made as reminders for past due license fees, 5 tickets issued, 2 court appearances.

NYSEG Utility Shutoff Notices:

No notices received.

Next Town Board Meeting

Today's meeting is the last one for the summer schedule. Our next Town Board meeting is scheduled for Monday October 2, 2023 @ 5:30 PM work session and regular Town Board meeting Tuesday October 10, 2023 @ 6:00 PM.

As previously stated in his report, Supervisor Marinaccio explained that due to the increase in cost for residential water meters by our supplier that went from \$145 to \$175. He asked the board to authorize charging the residents \$180 when a meter needs to be replaced. On a motion by Councilperson Gardner seconded by Councilperson Burns. All in favor.

COMMITTEE REPORTS:

FINANCE

TOWN CLERK MONTHLY FINANCIAL REPORT

Councilperson Gardner made a motion to accept the **August 2023 Monthly Financial Report** for the **Town Clerk in the amount of \$1466.36**. On a motion by Councilperson Gardner seconded by Councilperson Burns. All in favor.

TOWN COURT MONTHLY FINANCIAL REPORT

Nothing to report this month.

SUPERVISOR MONTHLY REPORT

Councilperson Gardner made a motion to approve the July **2023 Supervisor monthly report** in the amount of \$2,426,972.60 seconded by Councilperson Burns. All in favor.

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ABSTRACTS FOR APPROVAL

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **abstract # 9**, dated **September 11, 2023**, in the amount of **\$201,872.40**.

Vote Ayes-4, Nays-0, Absent-1.

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

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$201,872.40.

Voucher #9 for September 2023:

<u>General Fund</u>	<u>\$12,595.32</u>
<u>Part Town</u>	<u>\$40.00</u>
<u>Highway</u>	<u>\$7,043.81</u>
<u>Highway Project HP23-</u>	<u>\$166,455.47</u>
<u>Light Districts</u>	<u>\$874.83</u>
<u>Sewer Operating Dist.</u>	<u>\$477.95</u>
<u>Water Operating Dist.</u>	<u>\$14,385.02</u>

PERSONNEL

- Nothing to discuss.

PLANNING

- Nothing to discuss.

PUBLIC COMMENTS

- No public comments were given.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **Work Session and Regular Meeting Minutes of August 21, 2023**. All in favor. Vote Ayes-4, Nays-0, Absent-1

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

All in favor.

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ATTORNEY

Attorney Coughlin summarized the 4 Solar Options that the Solar committee presented to the board to consider.

The options were as follows:

Option 1 – Prohibit installation/operation of Commercial Solar Farm Development in ALL residential zoning district Town-wide.

Option 2 – Prohibit CSFD in R-1 and R-2 residential zoning districts Town-wide but permit such development in R-M residential zoning districts.

Option 3 – Permit CSFD only in distinct geographic districts designated “Solar Overlay Zones.”

Option 4 – Permit CSFD only in a Floating Overlay Zone created AFTER prospective solar site submittal/approval.

- Supervisor Marinaccio explained that decisions still need to be made and that we are not in a position to vote on anything as of yet as we still need to have a public hearing. Most likely we will be voting on this in December. As for Supervisor Marinaccio, speaking for himself he explained that as a board member and being the Town Supervisor, his priorities are to protect our residents. Especially the R1 residents in our town, which is the majority of our town with very little open land. He wants to be fair to everyone. He appreciates everyone’s patience during these times when big decisions need to be made. He likes the overlay idea. He thinks it may be a very fair way to portion out parts of property so residents cannot see a solar project, at least not directly. There may be some good with the overlay, but they will take a good hard look at it to have a clear understanding of what all that means. It is important that we get feedback from our residents as we will give them a lot of opportunities whether it is on our website, with comments at a Public Hearing which will be publicized, on our website, or in our minutes next month. If we decide to go with a combination of these paths, it is important that the public know what that option is and what it means to them.
- Councilperson Gardner commented that there are properties that will be ideal for a solar farm but when it imposes on a next-door neighbor and that would be what the overlay would accommodate, and it would identify properties that would be ideal for a solar project. Supervisor Marinaccio commented that the board would like to walk some properties with permission from the owners.
- Councilperson Burns questioned who sets the 1-mile radius. Attorney Coughlin explained that it is 1-mile from the outer edge of the property which creates a circle around that property. Outer edge to Outer edge. It is recommended and works best if it’s the outer edge of the property, but the board can consider if they

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want it to be 1-mile or not as that is just the recommended potential that comes from the solar guidebook. The concern is that it could take up most of the hill on Glenwood Rd. Commissioner Kie is going to work on the information regarding how that mile will look and how it works so that will help in making that decision on the final number.

- Councilperson Exley commented that she does not believe an outright band is the way to go. She does think that because the solar farms seem to be necessary to be located near sub stations. The only 2 sub stations in Dickinson are on Prospect Terrace. The one on Downs Ave is prohibited. We have one left on Glenwood to which she does not think saturating Glenwood Rd with solar farms is appropriate especially since Governor Hochul has come back with a new housing proposal. She is warming to the overlay option after it was explained to her and thinks at least 1 mile apart would be best. Updated maps will be a big help in making these decisions.
- Commissioner Kie questioned the solar farm developer that when they are installing a solar farm is there an average or minimum or set standard to the height of the pedestal. The response was depending on the terrain the max is 15 to 18 ft. with the average being 10 ft. give or take.
- A solar committee member explained that another way to look at is not to have it restricted by mileage but by percentage of solar developable land that you're going to permit to fill.
- Supervisor Marinaccio questioned the solar farm developer if they were going to be looking at battery storage. He commented that it is not an option right now unless something in the state legislature changes.
- The solar developer questioned what the next step would be. Attorney Coughlin explained that commissioner Kie has been asked to do some map shading out to see what some realistic measuring of distance from existing projects will be. As it sounds like, the summary of the board members, that everyone is on the same page having learned some more about overlay districts, that his office will submit a draft on it. Supervisor Marinaccio would like himself and the board members to walk the properties with Joel beforehand.

COMMITTEE REPORTS:

PUBLIC WORKS – WATER DEPARTMENT & HIGHWAY DEPARTMENT

- Commissioner Kie explained that the Sunrise Drive project is complete except for the final paving. He is unsure of when that will take place. He is hoping in the next couple weeks they will have a plan for it.

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They will be installing a catch basin on Maiden Ln. extending the drainage to the catch basin down below to take care of the icing problem in the winter.

Next month the highway committee needs to get with the water/sewer dept and come up with a schedule of fees. There are different fees that are in the code book and need to have them board approved. Fees are always set by the Town Board.

We received a secret review for BOCES. They are applying for grant money or some type of financial aid. They want to proceed with a couple of building projects. One is across the street and the other looks like an addition on the back of a building. Attorney Coughlin has the information to be reviewed. 2 projects on the BOCES side and one across the street. No approval needed.

PLANNING BOARD

- Nothing to discuss.

ZONING BOARD

- Code Enforcer Doyle explained a variance meeting was held last week, and it was approved.

CODE ENFORCEMENT

- Code Enforcer Doyle will be going to a Fire Marshalls class in Syracuse for 2 days.

The meeting was adjourned on motion of Councilman Gardner and seconded by Councilman Burns at 6:41 PM.

Respectfully submitted,

Wendi Evans
Town Clerk