

December 9, 2024 – 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 9, 2024 at the Town Hall, 531 Old Front Street, Binghamton, New York.

The members of the Town Board present were:

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

Also in attendance:

Keegan Coughlin, Esq., Town Attorney
Wendi Evans, Town Clerk
Public Works Commissioner Joel Kie, Code Enforcement Officer Kyle Doyle, and 2 guests.

CHAIR

SUPERVISOR'S REPORT

December 2024 Town Board Meeting Supervisor's Report

1. I reviewed the monthly town credit card statement and did not find any issues
2. We will begin to develop our 2025 organization Resolution which we will review the draft at our work session in January and then adopt it at the next meeting. There will be some minor changes in assigned chairs but otherwise most of it will be standard requirements for 2025. We added a stipend for assigning someone to take minutes for both the planning and zoning board meetings at \$75 per meeting. We researched what other towns do, and some were at \$100 per meeting and some at \$75 per meeting. Most likely our town clerk or her deputy would be taking the minutes.
3. In regard to Fire Brigades Standards, NYCOM, NYSAC and NYSAOT is responding to changes to these standards by OSHA that will have a major negative impact on all fire departments as well as catastrophic impacts on municipal budgets and the local taxpayers who fund a majority of their operating expenses. I will share more information on this as it becomes available.
4. We continue to experience major issues in our Sunrise Terrace Park. I am having discussions with the County Executive and the Sheriff's department on these issues.

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5. As I mentioned at our last meeting, Christine Klein, who is presently on the Board of Assessment Review, has been on the waiting list for membership of the planning board. I will be asking for approval to appoint her as well as reappoint Bill Sands to the Planning Board and Lubomyr Zobniw to the Zoning Board tonight.
6. A reminder to board members and others to review our current employee handbook and list any changes, additions etc. that you would recommend. Our attorney’s office is also reviewing our handbook.
7. I received the latest inspection report of the County Dog shelter and there are still a few items that need to be addressed but it was noted by the inspector from the state that they are seeing some improvements.
8. We received our third quarter franchise fee check from Spectrum for the amount of \$7,273.88
9. We received a check from the county jail for our third quarter community agreement for out of county people being housed at the facility for the amount of \$20,519.46.
10. I want to thank our Public Works staff for the great job they did during the Thanksgiving Holiday in keeping our town roads clear of ice and snow.
11. I have received a few calls regarding the BC Assoc. of Towns & Villages Holiday dinner which was planned for this month but unfortunately it will not take place.

NYSEG Notifications of Discontinuation of Services:
63 Adams St., unpaid balance of \$5,213.74

Town Of Dickinson/Port Dickinson Dog Control Report for November 2024
3 stray dog calls, 2 dogs transported to the shelter, 33 Miles on Fenton DCO Van, 4 calls pertaining to “other” animals, 11 Calls for other towns to be redirected, 22 phone calls received, 44 phone calls made (including past due reminder calls), 6 emails received, 6 emails sent, 2 tickets issued.

Kyle Doyle, Code Enforcement Officer

Monthly Report for November 2024

Violations	
Property	Type
140 Glenwood Rd	No Building Permit for Roof
14 Twining Rd.	No Building Permit for Porch
41 Pulaski St	Trash and Debris
54 Downs Ave	Electrical/No CO/Smoke Detectors
864 Upper Front St	Fire Code Violations
29 Pulaski St	Trash and Debris

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31 Pulaski St	Trash and Debris
Permits Issued	
Property	Type
18 Linda Dr	Roof
650 Old Front St	Windows
496 Glenwood Rd	Fence
140 Glenwood Rd	Roof
1 Bevier St - Otsningo Park	Fireworks
Inspections/Site Visits	
Property	Type
40 Fuller Rd	Foundation/Footer Inspection
36 Forest Hills Blvd	Framing Inspection for Porch
20 N Broad St	Insulation and Plumbing inspection
170 Glenwood Rd	Site Visit
2 True St	Site Visit
10 Maiden Ln.	Deck Framing Inspection
864 Upper Front St	Fire Inspection
32 Jameson Rd	Footer Inspection
650 Old Front St	Fire Department Requested Follow-Up
246 Lower Stella Ireland Rd	Fire Department Requested Follow-Up
FOIL Requests	
170 Glenwood Rd	FOIL
Training Hours	
Structures Unfit for Human Occupancy	1HR

Next Town Board Meeting is scheduled for January 6, 2025, Work Session and Review of our 2025 Organization Meeting information.

PUBLIC COMMENTS

A town resident commented that she is still concerned with the \$50.00 maintenance fee that has been applied to the water bills. Supervisor Marinaccio explained that the board will continue to review it every year and if/when any changes can be made it will not be till 2026.

COMMITTEE REPORTS

- **PUBLIC WORKS**

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Councilperson Morabito commented that the 2 new employees have started and are being trained. It will take a good year for them to get fully trained and comfortable driving the trucks and plows. Commended Joel and his staff for their patience during this process.

• **WATER/SEWER**

Councilperson Exley commented that water/sewer unpaid water bill amounts have been relevyed to the 2025 property taxes. This year he relevyed 127 unpaid accounts of \$150 or more. Total relevyed was \$77,508.68.

She explained that BOCES had approval through the health department to put in a new meter and backflow off of the Glenwood campus to protect the whole campus from any cross contamination. They are waiting on Broome Developmental Center.

• **FINANCE**

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Supervisor Marinaccio made a motion to accept the **November 2024 Monthly Financial Report** for the **Town Clerk in the amount of \$1,674.60**. On a motion by Councilperson Morabito seconded by Councilperson Exley. All in favor.

○ **TOWN COURT MONTHLY REPORT**

Supervisor Marinaccio made a motion to accept the **October 2024 Court monthly report** in the amount of **\$29,526.00**. On a motion by Councilperson Burns 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 9, 2024** in the amount of **\$87,744.49**.

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

- Supervisor Marinaccio voting Aye
- Councilperson Gardner voting Absent
- 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 \$87,744.49.

Voucher #12 for December 9, 2024 in the amount of \$87,744.49:

General Fund	\$38,035.47
Part Town	\$0.00
Highway	\$9,907.66
Light Districts	\$4,094.37
Sewer Operating Dist.	\$835.70
Water Operating Dist.	\$34,871.29

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- **PERSONNEL**

Nothing to discuss

- **PLANNING BOARD**

A planning board meeting will be held December 30th @ 6:00 pm.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Burns to approve the **Work Session Minutes of November 4, 2024, and the Regular Meeting Minutes of November 12, 2024**. All in favor.

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

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

All in favor.

ATTORNEY

RESOLUTION 2024-29

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 OF THE TOWN OF DICKINSON ADOPTING THE 2024 BROOME COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

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-4, Nays-0, Absent-1.

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

All in favor.

RESOLUTION 2024-30

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

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

RESOLUTION: AMENDING FEE FOR PLANNING & ZONING APPLICATION

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-4, Nays-0, Absent-1.

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

All in favor.

Town of Dickinson

Resolution No. _____30_____

Resolution Amending Fee for Planning & Zoning Application

At a meeting of the Town Board of the Town of Dickinson held on the 9th day of December, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson Code Office has compiled a new application; and

WHEREAS, the Town of Dickinson Town Board can set fees from time to time pursuant to §265-18 of the Town Code and wishes to adopt an application fee for application processing; and

WHEREAS, the Code Enforcement Office has recommended \$25.00 per application in addition to any fees necessary in Chapter 291 of the Town Code; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed resolution amending the civil penalties for the nonpayment of water bills constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to increase said penalties.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts the an application fee of \$25.00 for planning and zoning applications; and be it further

RESOLVED that the Town Clerk be and hereby is directed to place this resolution on file; and be it further

RESOLVED that this resolution will take effect upon the Town Clerk placing this resolution on file.

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CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held on this 9th day of December, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Absent

Town of Dickinson Seal

Dated: December 9, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

RESOLUTION 2024-31

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: APPOINTING CHRISTINE KLEIN TO FILL THE UNEXPIRED TERM ON THE PLANNING BOARD, REAPPOINT BILL SANDS TO THE PLANNING BOARD FOR HIS EXPIRED TERM AND REAPPOINT LUBOMYR ZEBNOW TO THE PLANNING BOARD FOR HIS EXPIRED TERM. EFFECTIVE JANUARY 1ST.

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-4, Nays-0, Absent-1.

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

All in favor.

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RESOLUTION 2024-32

The following Resolution was offered by Councilperson Exley, 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: AMENDING PENALTY FOR NONPAYMENT OF WATER BILL

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-4, Nays-0, Absent-1.

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

All in favor.

Town of Dickinson

Resolution No. _____32_____

Resolution Amending Penalty for Nonpayment of Water Bill

At a meeting of the Town Board of the Town of Dickinson held on the 9th day of December, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson adopted a Local Law No. 2 of 2021 entitled “A Local Law Amending Chapter 557 of the Town Code entitled ‘Water’” on December 6, 2021; and

WHEREAS, the Town of Dickinson’s Code §557-7 provides the Town Board may from time to time by resolution adopt civil penalties for the nonpayment of water bills; and

WHEREAS, the Town of Dickinson Water Department has recommended the increase in those penalties to fifteen (15%) percent of the unpaid balance; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed resolution amending the civil penalties for the nonpayment of water bills constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to increase said penalties.

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NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts the increase to the civil penalties for the nonpayment of water bills to 15% of the unpaid balance; and be it further

RESOLVED that the Town Clerk be and hereby is directed to place this resolution on file; and be it further

RESOLVED that this resolution will take effect upon the Town Clerk placing this resolution on file.

CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held on this 9th day of December, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Absent

Town of Dickinson Seal

Dated: December 9, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

DEPARTMENT REPORTS

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Commissioner Kie explained that we received a phone call from Chenango that told us they would possibly not be raising our water rates. They will inform us once they have their regular meeting, and it is voted on.

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CODE

- Code Officer Doyle commented that he had his fire/code meeting on November 18th that went very well.
- He explained that the sign for BDC on Glenwood Road is being installed. Electricity for it is being installed as well.
- Regarding his report, he had 2 follow-ups from the fire department. Chenango the sprinkler system continues to be an issue at the Red Roof so that was put out of service. Prospect Terrace had a vehicle through a garage on Lower Stella at the Tree Top Apartments. The only structural damage was the garage door. No injuries to the driver of the vehicle.

PLANNING/ZONING

- Nothing to discuss

The meeting was adjourned on a motion of Councilperson Morabito and seconded by Councilperson Burns at 6:44 PM.

Respectfully submitted,

Wendi Evans
Town Clerk