

September 9, 2024- 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 9, 2024, in the Town Hall, 531 Old Front Street, Binghamton, New York.

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
Danny F. Morabito, Councilperson
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, and 2 guests.**

SUPERVISOR'S MONTHLY REPORT September 2024 Town Board Meeting

1. I reviewed the credit card charges and did not see any issues
2. I plan on attending the Broome County Executive's budget address scheduled for September 12 at the Enjoi Golf Course
3. There were several complaints of people speeding down Terrace Dr. and other Sunrise Terrace Streets. I asked the sheriff's department to monitor and setup radar tracking in the hope that we can stop this reckless behavior. Many of those driving at excessive speeds are Terrace residents. Glenwood Rd., which is a county road, is another road where we experience excessive speeding.
4. On August 20th, I participated in the AOT Supervisors round table discussion. Focus was on the rising costs that have a very negative impact on our municipalities. The state-imposed tax cap was also discussed. Health Insurance, which is predicted to increase by 17%, materials, equipment, salaries, etc. were primary causes for increases to operate a town such as ours. I suggested that we review how properties that are exempt from paying property taxes, affect our ability to generate income for our town operations and possibly go to the state to come up with tax cap formulas for the various towns that have a high percentage of tax-exempt properties. Our town is at approximately 65% tax exempt. We also are planning to reach out to our state

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representatives, including our governor, to create a CHIPS like funding for our water and sewer projects. Mortgage tax income is down. Sales tax may decrease for the next quarter. We are also asking that the state mandates for training and required equipment costs for 1st responders that includes our fire departments, be funded by the state.

5. **Abbreviated message from our Town Judges:** Now that we are fully staffed and nearing the end of the summer, Judge Randall and I are finalizing the court hours of operation moving forward. Please see the attachment.

No shuttering of the service window during the day. Lunch and break times will be staggered by the clerks so that the public will be able to transact court business. As is the case now, there may be some infrequent occasions where the public does come to the Court outside of "business hours," and they will be served.

6. We finally received our 2nd quarter inmates from other jurisdictions at the Broome County Jail for the amount of \$25,829.05
7. I was invited to and plan to attend the SUNY Broome President Inauguration on Oct. 1, 11:30 AM

8. Code Enforcement Monthly Report August

Violations	
Property	Type
316 Lower Stella Ireland Rd	Trash and Debris
37 Adams St	Tall weeds and grass
116 Old State Rd	No Building Permit
7 N Ely St	Structural Issues / Tall Weeds and Grass
60 Sowden St	Several Property Maintenance/Fire Violations
376 Prospect St	Tall weeds and grass
166 Glenwood Rd	MS4 Violation
213 Bevier St	Multiple Unregistered Vehicles
388 Prospect St	Noise Violation
611 Old Front St	Tall weeds and grass
9 N Broad St	No Building Permit
39 Pulaski St	Debris
47 Adams St.	Tall weeds and grass
28 Adams St	Tall weeds and grass
Permits Issued	
Property	Type

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30 Jameson Rd	Fence
292 Lower Stella Ireland Rd	Fence
864 Upper Front St	EV Charging Stations
52 Downs Ave	Driveway
220 Lower Stella Ireland Rd	Renewal - Renovation
650 Old Front St	Signs
181 Lower Stella Ireland Rd	Fence
15 Bellaire Ave	Generator
312 Ferndale Dr	Garage/Driveway
Appearance Tickets	
Property	Type
35 Market St	Trash and Debris
33 N Broad St	Tall Weeds & Grass
478 Glenwood Rd	Structure/Property Maintenance
Inspections	
170 Glenwood Rd	Solar Project
116 Old State Rd	Addition/Stop Work Order Issued

9. Dog Control Officer Reports and Shelter Updates:

Village & Town: Town of Dickinson/Port Dickinson Dog Control Summary August 2024: 6 stray Dog Calls, 4 dogs transported to the shelter. 65 Miles on Fenton DCO Van, 6 Calls pertaining to “other” animals. 35 Calls for other towns to be redirected. 63 Phone calls Received. 95 Phone calls made (including past due Reminder calls). 6 E-mails received. 6 E-mails sent. 3 Tickets issued.

10. NYSEG Utility Shutoff Notices:

63 Adams St. second shutoff notice. Amount due is \$8,553.50

Next Town Board Meetings: Work Session, Oct. 7, 5:30 PM

PUBLIC COMMENTS:

A resident was concerned about residents using their homes as Air Bnb’s in the Town of Dickinson. Supervisor Marinaccio explained that there are no restrictions in our town regarding that. The resident is also concerned with the Motels housing the homeless people. Supervisor Marinaccio explained it has been an ongoing problem for years as the owners get temporary assistance from Social Services to house people that can’t afford a home. A few years ago, we were having a lot of problems and met with the owners and

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have looked into shutting them down, but it is a very long, expensive process. It has been quiet there for the past 6 months and the police are well aware of the whole situation.

COMMITTEE REPORTS:

HIGHWAY

- Councilperson Morabito commented that the paving is complete on Terrace Dr. Will be working on completing Maiden Ln. and a portion of Sunset.
- Interviews will be taking place to hire 1 possibly 2 applicants for the highway dept.

WATER/SEWER

- Councilperson Exley commented that the second quarter water and sewer unpaid balance was 100,831.83. The new software was used to send out late payment notices and shutoff warnings to anyone owing over \$200. That generated payments and the balance is now \$54,356.67. The third quarter readings will be taking place on Thursday to mail the bills out on October 1st.
- Discussed a road project that will take place in 2025 on Fuller St. and Upper Taft.

FINANCE

- **TOWN CLERK MONTHLY FINANCIAL REPORT**
Councilperson Gardner made a motion to accept the **August 2024 Monthly Financial Report** for the **Town Clerk in the amount of \$1,015.00**. On a motion by Councilperson Gardner seconded by Councilperson Morabito. All in favor.
- **TOWN COURT MONTHLY FINANCIAL REPORT**
Councilperson Gardner made a motion to accept the **June 2024 Monthly Financial Report** for the **Town Court Office in the amount of \$21,496.00**. On a motion by Councilperson Gardner seconded by Councilperson Burns.
- **SUPERVISOR MONTHLY REPORT**
Councilperson Gardner made a motion to approve the **August 2024 Monthly Supervisor Monthly Report in the amount of \$2,501, 427.35**. On a motion by Councilperson Gardner seconded by Councilperson Exley.

ABSTRACTS FOR APPROVAL

On Motion from Councilperson Gardner, seconded by Councilperson Morabito to approve **abstract # 9**, dated **September 9, 2024**, in the amount of **\$260,720.76**.

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

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.

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Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$260,720.76.

Voucher #9 for September 2024:

<u>General Fund</u>	<u>\$50,971.49</u>
<u>Part Town</u>	<u>\$0.00</u>
<u>Highway</u>	<u>\$129,922.01</u>
<u>Light Districts</u>	<u>\$4375.36</u>
<u>Sewer Operating Dist.</u>	<u>\$25,186.43</u>
<u>Water Operating Dist.</u>	<u>\$50,265.47</u>

PERSONNEL

- Nothing to discuss.

PLANNING/ZONING

- Nothing to discuss.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **Work Session and Regular Meeting Minutes of August 19, 2024**. 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 Absent
Councilperson Burns voting Aye

All in favor.

ATTORNEY

On a motion by Councilperson Gardner seconded by Councilperson Exley TO AUTHORIZE THE WAIVER OF THE 30-DAY WAIT PERIOD AND AUTHORIZE TO COMMUNICATE THAT TO THE REGAL BINGHAMTON MOVIE THEATRE VIA LETTER

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 2024-19

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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: A LOCAL LAW AMENDING CHAPTER 265 ENTITLED CONSTRUCTION CODES, UNIFORM REGARDING DRIVEWAY STANDARDS AND PERMITS

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.

Town of Dickinson

Resolution No. #19_____

**Resolution Adopting Local Law #7-2024 entitled
A LOCAL LAW AMENDING CHAPTER 265 ENTITLED ‘CONSTRUCTION CODES, UNIFORM’ REGARDING DRIVEWAY STANDARDS AND PERMITS**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 9th day of September, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for August 19, 2024 at 5:30 p.m. for Local Law No. 7 of 2024 entitled “A LOCAL LAW AMENDING CHAPTER 265 ENTITLED ‘CONSTRUCTION CODES, UNIFORM’ REGARDING DRIVEWAY STANDARDS AND PERMITS”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 19th day of August, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

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WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 7 of 2024 entitled “A LOCAL LAW AMENDING CHAPTER 265 ENTITLED ‘CONSTRUCTION CODES, UNIFORM’ REGARDING DRIVEWAY STANDARDS AND PERMITS”; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

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 at Town Hall, 531 Old Front Street, Binghamton, New York on this 9th day of September, 2024. Said resolution was adopted by the following roll call vote:

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

Town of Dickinson Seal

Dated: September 9, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

RESOLUTION 2024-20

The following Resolution was offered by Councilperson Exley, 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:

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RESOLUTION: A LOCAL LAW ADDING A NEW CHAPTER 283 TO THE TOWN CODE ENTITLED ELECTRIC VEHICLE CHARGING STATIONS

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.

Town of Dickinson

Resolution No. #20_____

**Resolution Adopting Local Law #8-2024 entitled
A LOCAL LAW ADDING A NEW CHAPTER 283 TO THE TOWN CODE
ENTITLED ‘ELECTRIC VEHICLE CHARGING STATIONS’**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 9th day of September, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for August 19, 2024 at 5:30 p.m. for Local Law No. 8 of 2024 entitled “A LOCAL LAW ADDING A NEW CHAPTER 283 TO THE TOWN CODE ENTITLED ‘ELECTRIC VEHICLE CHARGING STATIONS’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 19th day of August, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law 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 adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 8 of 2024 entitled “A LOCAL LAW ADDING A NEW

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CHAPTER 283 TO THE TOWN CODE ENTITLED ‘ELECTRIC VEHICLE CHARGING STATIONS’; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

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 at Town Hall, 531 Old Front Street, Binghamton, New York on this 9th day of September, 2024. Said resolution was adopted by the following roll call vote:

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

Town of Dickinson Seal

Dated: September 9, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

RESOLUTION 2024-21

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: INTRODUCING A PROPOSED LOCAL LAW
AMENDING CHAPTER 528 OF THE TOWN CODE REGARDING
PARKING ON GLENWOOD ROAD**

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.

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

All in favor.

Town of Dickinson

Resolution No. #21

A RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 528 OF THE TOWN CODE REGARDING PARKING ON GLENWOOD ROAD” was introduced at this meeting; and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board of the Town of Dickinson with respect to the adoption of the aforesaid Local Law on **October 7, 2024 at 5:30 p.m.**, or as soon thereafter can be heard; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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 September, 2024. Said resolution was adopted by the following roll call vote:

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

Town of Dickinson Seal

Dated: September 9, 2024

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Wendi Evans, Town Clerk
Town of Dickinson

DEPARTMENT REPORTS:

HIGHWAY DEPARTMENT ADMINISTRATIVE:

- Commissioner Kie commented that Maiden Ln and Sunset will be finished being paved soon. There is a storm drainage problem on J.T. Boulevard that they will be starting to replace in a couple of weeks. The cost is approx. \$18,000.

PLANNING/ZONING:

Nothing to comment

CODE ENFORCEMENT:

- Code Officer Doyle is requesting changes to the permit fees as some of the fees are by square footage so people that were doing additions on their homes were paying less than a person doing a roof or siding. He researched other municipalities around us and would like to make them comparable. The town will review the request and will discuss it more at next month's meeting.
- The peddler fee is currently \$25/day and would like to increase that to \$100/day.

On motion by Supervisor Marinaccio, the Regular Meeting was adjourned into **Executive Session** to discuss a personal issue on a motion from Councilperson Gardner and seconded by Councilperson Exley at 6:20 PM. All in favor.

On a motion by Councilperson Gardner and seconded by Councilperson Burns to return to regular session at 6:45 PM. All in favor

The meeting was adjourned on motion of Councilman Gardner and seconded by Councilman Burns at 6:45 PM.

Respectfully submitted,

Wendi Evans
Town Clerk