

November 13, 2017 – 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, November 13, 2017 in the Town Hall, 531 Old Front St., Binghamton, NY.

The members of the Town Board present were:

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

Also in attendance:

**Nicholas Cortese, Esq. (o/b/o Oliver N. Blaise III, Esq., Town Attorney)
Susan M. Cerretani, Town Clerk
Code Enforcement Officer Stephen Rafferty, Town Engineer Ron Lake,
Public Works Commissioner Joel Kie, Zoning Board Chair Jeanne
Compton, and 3 members of the general public.**

CHAIR

SUPERVISOR'S REPORT

**SUPERVISOR'S MONTHLY REPORT
November, 2017**

1. Supervisor Marinaccio attended the Veteran's Day Celebration at **SUNY-Broome** on Friday. It was a wonderful event and well attended.
2. 231 Bevier St. is scheduled to be demolished on Monday, November 27, starting at around 9am or so. A press conference will take place prior to demolition. The Supervisor plans on taking part in the conference. He has alerted the neighbors and Ben Harding from the **Broome County Sheriff's Department** who also plans on attending. Supervisor Marinaccio stated that there have been several attempts made to contact the previous occupants with no success.
3. The Town received a third quarter check for \$23,40.30 for fees due to our town for inmates held on non-Broome County charges and housed at the **Broome County Jail**.
4. Supervisor Marinaccio received the Dog Control Officer Inspection report from **NYS Agriculture & Markets**. As the report indicates, DCO services provided by our officer were rated satisfactory.
5. Supervisor Marinaccio has received additional thank you letters from the students who came to our town for Mentoring Day. Remarks were very positive and they especially enjoyed the highway garage tour. The students also commented on learning how town governments operate.

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SUPERVISOR’S REPORT CONTINUED:

6. We received the 3rd quarter sales tax revenue check for \$219,573.90. To date we received \$636,930.15. We budgeted \$820,000 for 2017. We need \$183,000 to meet that projection.
7. The Town’s franchise agreement with **Charter Communications/Spectrum** will expire in September of 2020. Supervisor Marinaccio will schedule a meeting with the town attorney to review Section 626 of the Communications Act to see how we want to proceed. Section 626 (h) of the Cable Act provides renewal of franchises without going through the extensive formal procedure specified in Sections 626 (a through (g). Charter believes that this informal process may be preferable for all concerned. We will take the recommendations to the full board once we review our options. Charter would like to begin the process as soon as we are ready to.
8. A Ribbon Cutting Ceremony for the new **Taste of NY** building located at **Cornell Cooperative Extension** is scheduled for Tuesday, December 5, at 4 pm.
9. Supervisor Marinaccio is planning on attending an information meeting on Water Community on Tuesday, November 14, from 6 to 8 pm at the **Binghamton University** Downtown Center. Pre-registration was required.
10. Supervisor Marinaccio wants to wish everyone a wonderful and Happy Thanksgiving.

Code Violations Report:

1. 26 Pulaski, tent set up on the property, no hot water
2. 66 Old State Rd., truck openly stored on property, no plates
3. 183 Bevier St., vehicle in front yard for sale no plates
4. 68 Sowden, various garbage, soda cans, car tire, pet carrier, broken hand rail.
5. 703 Front St., fence in front is broken. This fence has since been replaced with a new one.
6. 561 Old Front St., broken windows and damage to the house caused by a fallen tree.

Dog Control Report

Supervisor Marinaccio is in receipt of the Dog Control Officer’s Monthly report for October for both the Village and the Town. Barking dog complaints, dog run away from home, pit bull chasing and cornering a resident, all resolved.

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SUPERVISOR’S REPORT CONTINUED:

NYSEG Warning Letter:

No warning letters issued to property owners by NYSEG this month

PUBLIC COMMENTS

Resident Jim Love asked Supervisor Marinaccio to ask **NYS DOT Regional Director Jack Williams** when both lanes of the 17 East to 81 North ramp will open. He feels that it is dangerous in that people wait until the last minute to merge from right to left. The Supervisor replied that he will try to get an answer from Mr. Williams.

COMMITTEE REPORTS

• **PUBLIC WORKS**

- Councilman Gardner stated that the Highway Department has been working on water projects for 2018 and noted that there are several challenges ahead.
- The last day of brush pick up was last week. The Highway crew salted the roads last Friday.

• **FINANCE**

○ **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **September, 2017 Supervisor monthly report** seconded by Councilwoman Exley. All in favor.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **October 2017 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,696.78** seconded by Councilman Gardner. All in favor.

○ **TOWN COURT MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the Financial Report(s) for the **Town of Dickinson Court** for the month of September in the amount of **\$35,048.00**. On a motion of Councilman Morabito and seconded by Councilman Burns. State -\$27,258.00 County - \$1,295.00 Town - \$6,485.00
All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 11**, dated **November 13, 2017** in the amount of **\$272,216.69**

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

Supervisor Marinaccio voting Aye
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman 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 \$272,216.69.

Voucher #11 for November 13, 2017 year in the amount of \$311,747.30:

<u>General Fund</u>	<u>\$109,871.86</u>
<u>Part Town</u>	<u>\$2,420.00</u>
<u>Highway</u>	<u>\$66,642.53</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$237.81</u>
<u>Sewer Operating Dist.</u>	<u>\$13,627.67</u>
<u>Water Operating Dist.</u>	<u>\$79,416.82</u>

- **PERSONNEL**
 - Nothing to report.
- **PLANNING**
 - Nothing to report

APPROVAL OF MINUTES

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the **Work Session and Regular Meeting Minutes of October 2, 2017 and October 10, 2017**. All in favor.

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

CHAIR

FUNDING FOR WATER PROJECTS

Councilman Gardner stated that the Highway Department has been working on water projects for 2018 and noted that there are several challenges ahead. Councilman Gardner addressed the funding of water projects. Councilman Morabito presented a spreadsheet that he reorganized that had been put together by Mr. Kie and Mr. Gardner. Mr. Morabito stated that after reviewing the numbers, we now have to decide how to best use our finances to achieve our goals and to look for funding from other sources. A long discussion followed.

Supervisor Marinaccio stated that he will take our financial plan to Senator Akshar to see if he might be able to get us some assistance.

BROOME DEVELOPMENTAL CENTER

Supervisor Marinaccio and Councilwoman Exley spoke about **Broome Developmental Center** and remarked that for whatever reason there seems to be hesitancy with the legislators to back the proposed opioid treatment program for the facility.

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ATTORNEY

RESOLUTION ADOPTING THE JUSTICE COURT AUDIT

RESOLUTION 2017-29

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

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

RESOLUTION: ADOPTING THE JUSTICE COURT AUDIT AND AUTHORIZING ITS SUBMISSION TO THE UNIFIED COURT SYSTEM

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns voting Aye

All in favor.

RESOLUTION ADOPTING 2018 BUDGET

RESOLUTION 2017-30

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

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

RESOLUTION: ADOPTING ANNUAL BUDGET FOR 2018

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns Aye

All in favor.

Resolution attached.

RESOLUTION ADOPTING A NO PARKING RESTRICTION ON A PORTION OF FOREST HILLS BLVD - LOCAL LAW #3 OF THE YEAR 2017

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RESOLUTION 2017-31

The following Resolution was offered by Councilwoman Burns, who moved its adoption, seconded by Councilman Morabito to wit:

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

RESOLUTION: ADOPTING A NO PARKING RESTRICTION ON A PORTION OF FOREST HILLS BLVD - LOCAL LAW #3 OF THE YEAR 2017

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns Aye

All in favor.

Resolution attached. Local Law to be filed with Department of State.

RESOLUTION ADOPTING 2018 WATER RATE ADJUSTMENT

RESOLUTION 2017-32

The following Resolution was offered by Councilwoman Morabito, who moved its adoption, seconded by Councilman Gardner to wit:

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

RESOLUTION: ADOPTING LOCAL LAW #4 2018 WATER RATE ADJUSTMENT AMENDING CHAPTER 447 OF THE TOWN CODE ENTITLED ‘SEWERS’ AND CHAPTER 557 OF THE TOWN CODE ENTITLED ‘WATER’

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns Aye

All in favor.

Resolution attached. SEQRA short form determination attached.

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RESOLUTION AUTHORIZING THE PURCHASE OF THE TRIMBLE GEO 7X MAPPING SYSTEM

RESOLUTION 2016-33

The following Resolution was offered by Councilwoman Exley, who moved its adoption, seconded by Councilman Gardner to wit:

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

RESOLUTION: AUTHORIZING THE PURCHASE OF THE TRIMBLE GEO 7X MAPPING SYSTEM SOFTWARE PRODUCT AT A COST OF \$10,070.00 PLUS 2 YEARS OF TECHNICAL SUPPORT AT A COST OF \$700.00 AND GPS BRAIN FOR A DAY TRAINING AT A COST OF \$1,495.00; BILLED TO THE SEWER DEPARTMENT.

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns Aye

All in favor.

RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR THE ADOPTION OF A LOCAL LAW CCA PROGRAM

RESOLUTION 2017-34

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

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

RESOLUTION: SCHEDULE A PUBLIC HEARING FOR DECEMBER 4, 2017 WORK SESSION AT 5:30 PM RE: THE ADOPTION OF A LOCAL LAW CCA PROGRAM

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
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito voting Aye
Councilman Burns Aye

All in favor.

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PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie reported that **NYSERDA** training has been completed and that he will be meeting with Terry Carroll from **NYSERDA** on Thursday. The electric car charging station is all set and waiting for **NYSEG** to hook it up.
- Mr. Kie reported that there are 2 Grants that are still open at \$150,000 each.
- Mr. Kie reported that leaf pickup is going good and the Highway Department is ready for snow - 2 trucks are equipped for leaf removal and 3 trucks are equipped for snow removal.

PLANNING & ZONING BOARD

Because of his election as Town Justice, Patrick Doyle will be leaving the Planning Board and will be replaced on the board.

CODE ENFORCEMENT

Nothing at this time.

PUBLIC COMMENTS

Supervisor Marinaccio stated that once the 231 Bevier Street building is demolished on Monday November 27th at 9 am, the Land Bank will either sell the vacant lot or sell it to the town for \$1.00.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:07 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk