

October 15, 2019 - 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 Tuesday, October 15, 2019 in the Town Hall, 531 Old Front St., Binghamton, NY. This meeting was changed to Tuesday because the Columbus Day Holiday fell on the normally scheduled meeting date of the second Monday of the month.

The members of the Town Board present were:

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

Absent: Danny F. Morabito, Councilman

Also in attendance:

Angelo Catalano, Esq., o/b/o Oliver N. Blaise III, Esq., Town Attorney
Susan M. Cerretani, Town Clerk
Public Works Commissioner Joel Kie, Code Enforcement Officer
Stephen Rafferty, Zoning Board Chair Jeanne Compton, and 1 member of the general public.

A moment of silence was observed for the passing of Richard Foley, a longtime resident of the Town of Dickinson and former Planning Board member.

BROOME COUNTY EXECUTIVE BUDGET ADDRESS

Supervisor Marinaccio welcomed our guest speaker Chris Marion, the Manager of the Floyd L. Maines Memorial Arena and Broome County Forum Theater, representing the Broome County Executive's Office.

Mr. Marion presented an abbreviated version of the **Broome County 2020 Budget** on behalf of County Executive Jason Garner and answered questions from the public.

Mr. Marion highlighted the following items in his presentation of the \$401 million proposed 2020 budget:

TAX REDUCTION

- The 2020 County Budget reduces taxes by 0.51%

MAJOR SERVICES

- Broome County offers major services to over 200,000 people
 - 300 miles of roads
 - 2.2 million people using transportation
 - One half million 911 calls
 - Senior centers
 - **SUNY Broome**
 - Funds **Luma, Dick's Open, Spiedie Fest**
 - **Broome County Landfill**

October 15, 2019 - REGULAR MEETING

- When Broome County Executive Garner took office, the County had a budget deficit and was on the State's fiscal stress list. Today we have a \$6.5 million budget surplus and we are no longer on the stress list with thanks to the strong support of the County Legislature.
- Reduction in Broome County Taxes

COMMUNITY PROGRAMS

- The **Books for Babies** program continues to be funded to give every infant born in Broome County a book at the time of their birth in order to stress the importance of reading to young children.
- The **Small Community Fund** is again available to assist municipalities with financing various local projects.
- **Clean Sweep Program** provides community service projects

WORKFORCE DEVELOPMENT

- **Opportunity Impact Program Office of Employment and Training**
- A portion of the former Sears store at the Oakdale Mall will be a new location for the **Workforce Development Center**. There are currently about 3,000 job openings in Broome County. The new Workforce Office will fund projects that get people back to work.

PUBLIC SAFETY

- Addition of 2 security positions to improve safety at the Binghamton bus station
- 3 Sheriff deputies have been added to road patrols
- 6 dispatcher positions have been added to reduce their shifts from 12 to 8 hours.
- The County is in the process of rebuilding the entire **County Emergency Services Communication Network** for police, fire and emergency services.
- Improve infrastructure by adding money in the budget for road and bridge improvements and County parks

FACILITIES

- Building a new veteran's facility at the former **Vestal Hills Country Club** location to consolidate and expand the services that are offered to our veterans.
- Senior Centers support
- **Willow Point**

SUNY BROOME

- Health Science Building at **SUNY Broome**
- Renovate the old science and student services building
- Expanding the nursing program to address the healthcare worker shortage in the area

October 15, 2019 - REGULAR MEETING

Mr. Marion fielded questions from the public and concluded his presentation at 6:13 PM.

Supervisor Marinaccio thanked Mr. Marion for addressing the Town of Dickinson on behalf of the Broome County Executive.

SUPERVISOR'S MONTHLY REPORT October 2019

1. We continue to work on the \$1 million-dollar grant for our large water line project. The process is now in the hands of the **NYS Health Department Engineering** who contacted us with many questions and additional steps we need to take before the grant can be activated. Ron Lake is assisting us in moving this grant forward. We will need to approve a proposal from Ron to take on this project as directed by the **NYS Grant** application once we know that the grant has been finalized.
2. Regarding the accident at the **Speedway Gas Station** on Friday, September 20, one of the contractors was killed in a mishap while working on one of the gasoline storage containers. As soon as I arrived, I talked to various first responders and the **Director of the BC Emergency Services**, Mike Ponticiello. I needed to know if the neighborhood had to be evacuated. I was assured that the incident was isolated, and evacuation was not necessary. This incident shows that we need another access out of the Sunrise Terrace. The walk bridge serves this purpose at this time. I sent a letter to the **Regional Director of NYS DOT**, with copies sent the **Sheriff, Chenango Fire, Binghamton Fire and Broome County Emergency Services** Director Mike Ponticiello in the hope to conduct further discussion and other possible alternatives for emergency evacuations and other issues. I will also be meeting with the **County Sheriff** and **NY State Troopers** to discuss traffic control and other issues that stem from Old Front St. being closed to incoming and outgoing traffic. An example: There should be actions taken to prevent cars from driving in and out of the Terrace using the walk bridge. **I just received my first response to my letter from Sheriff Harder stating that he would attend a meeting for further discussion on this matter.**
3. **AIM Funding Procedure**- NY State eliminated the **AIM Funding** for 90% of the municipalities in New York State which included our town. After negotiations, the state mandated that the counties take over the **AIM** payments to the affected municipalities through sales tax revenue. The **NY State Audit & Control** will withhold sales tax revenue that goes to the counties by the amount of **AIM** payments that normally went to the municipalities. State Audit will issue checks to the municipalities during their budget year. For example, we would receive a check in December. The Village would receive a check around June. The hope is that the sales tax revenue from Internet Sales will more than makeup what the county receives from sales tax revenue.

October 15, 2019 - REGULAR MEETING

SUPERVISOR'S REPORT CONTINUED:

4. I met with **Charter** representative Lauren Kelley on September. 23 at the town hall to discuss the renewal of another 10-year agreement on our franchise agreement. I asked for a 1% increase in the franchise fee. It is currently 3%. She asked for a 15-year agreement, I insisted that it remain 10 years. I should be receiving a draft contract proposal in the near future for our attorney and board members to review.
5. I reviewed the monthly **NBT Credit Card Statement** and no concerns were noted.
6. Interesting numbers from a recent bike and pedestrian counts on the **Two Rivers Greenway**. Peak day - Sunday, September 8th - 11,680. Total usage since June 20, 423,497.
7. The projected completion date for the **Prospect Mountain Highway project** is October 2020. A punch list will then take place to assure all aspects of the project are complete and meet the specs of the contract.
8. In regard to a letter I received from **MEGA** representative Louise Gava, she stated that **NYSEG** made a mistake billing a subset of **CCA** customers. When a budget billed customer moves to a third-party supply like **MEGA**, **NYSEG**'s policy is to remove the supply cost from the budget calculation. The supply cost was not removed from a number of customer's bills.
9. There will be an information meeting regarding Energy Storage on October 21, 4:30 to 7:30 PM, **Cornell Cooperative**. Many of our officials from our town have registered to attend including myself.
10. We were given a set of blinking crosswalk signs by the **Broome County Health Department** due to our commitment for **Complete Streets Initiative**. Joel is considering using them at the church crossing on Prospect St.
11. On October 22, 5:30 to 7:00 PM at the Kirkwood Town Hall, there will be an open discussion with Senator Akshar.
12. I attended the **City of Binghamton Budget address** held on September 12. The Mayor stated that there would be no increase in rates for sewage treatment for the city residents. After the presentation, I asked the City Comptroller what the user municipalities could expect in increases. He stated to not believe what has been reported in the newspaper. There will be an increase, but it has not been formulated yet.

October 15, 2019 - REGULAR MEETING

SUPERVISOR'S REPORT CONTINUED:

13. Received a letter from **BMTS** Executive Director Jennifer Yonkowski indicating that there will be turning movement traffic counts at intersections and roadway segment counts throughout this area.
14. I attended the County Executive's quarterly Towns & Villages meeting on September 18. Discussion items included: Surcharge on cell phone to cover cost of the new cell towers was authorized by NYS, **SUNY Broome** will be renovating the older buildings on campus, equipment sharing updates, court security/Broome Security. Etc.
15. There will be a grant writing webinar sponsored by **Syracuse University** on Thursday, Oct. 24, from 1 to 2 PM. I forwarded the information to the board and others. I am registered.
16. Sharon Exley, Steve Gardner, Sue Kirkland and I attended the **Age Friendly** information meeting on Oct. 2, held at the **Southern Tier Independence Center**. Community Workgroups are now being formed and if anyone is interested in joining one of the groups, you can go to the Office of the Aging website and sign up. The work groups consist of, Outdoor Spaces & Building, Transportation, Communication & Information, Housing, Community Support & Health Services and Respect & Social Inclusion. Everyone is invited to participate.
17. We received the soil testing report from **Keystone Engineering**, and we are currently reviewing it with the assistance from our Town Engineer. We will report the findings in the near future.
18. There is a great article in the **Towns & Topics** monthly magazine regarding large scale renewable energy projects. Anyone interested in reading the article, I have one of the magazines here at the town hall.
19. Another interesting article in the magazine is about the important role that Zoning, and Planning Boards play in our municipalities and the important steps they take to protect and preserve that values each town wishes to achieve or maintain. Diversity of background and skills is a great asset to have on these boards and we certainly have achieved that with our appointments to these boards.
20. The **Broome County Department of Parks, Recreation and Youth Services** has announced details of the Broome County Parks Fall Festival and Trunk or Treat, taking place at **Otsiningo Park** in the Town of Dickinson on October 20th, 2019. The **Fall Festival** will take place from 12:00 p.m.- 4:00 p.m. with Trunk or Treat happening from 12:00 p.m.- 1:30 p.m. Admission is free! This is a family-friendly event that will include food, kids' activities, music, a dog costume contest, trunk or treat and face painting. More information may be found at www.gobroomecounty.com/parks/otsiningo or by calling (607) 778-2193.

October 15, 2019 - REGULAR MEETING

SUPERVISOR'S REPORT CONTINUED:

Code Violations Report:

1. 3 N. Louisa Street, property maintenance various debris in yard including a lift. Roof needs to be replaced which presently has a tarp covering it.
2. Stop work order issued to 1 N. Louisa Street - no building permit issued.
3. Appearance ticket issues to 226 Lower Stella Ireland Rd. - Property maintenance code violation
4. 290 L. Stella Ireland Rd., tall weeds and grass, garbage at curb, not in containers
5. 1 N. Louisa Street completed work without a building permit. Stop work order was issued, filled out permit, never paid for or picked up

Dog Control Reports

I received the September Dog Control report: Total of 5 calls. Unleashed dog, stray dogs, dogs running loose, dog wandering around the lobby at the EconoLodge

NYSEG Warning Letter:

367 Prospect St. received a notice of discontinued service due to unpaid bill of \$394.68

Next Meeting: The next Town Board meeting will be Monday, November 4 at 5:30 PM

PUBLIC COMMENTS

None

COMMITTEE REPORTS

• **PUBLIC WORKS**

- Public Works Commissioner Kie stated that the loader has been swapped out for the new one in the amount of \$8,000.
- Mr. Kie asked for board approval for the new LED lighting contract. Mr. Kie decided to go with the white 4,000 lights – to match the Town of Chenango and the City of Binghamton. There has been a price reduction of \$12,000 from the original quote of \$10,172.78. The Town will be reimbursed by **NYSERDA**.

October 15, 2019 - REGULAR MEETING

RESOLUTION 2019 – 25

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

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

RESOLUTION: Approving the lighting contract in the amount of \$10,172.78 for new LED lights and authorizing the Supervisor to sign.

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

All in favor.

RESOLUTION 2019 – 26

The following Resolution was offered by Councilman Gardner, 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: Approving the replacement of the Heating and Air Conditioning NOVAR 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 –4, Nays – 0, Absent-1.

Supervisor Marinaccio voting Aye
Councilman Gardner voting Aye
Councilwoman Exley voting Aye
Councilman Morabito Absent
Councilman Burns voting Aye

All in favor.

• **FINANCE**

○ **SUPERVISOR MONTHLY REPORT**

Councilwoman Exley made a motion to accept the **August 2019 Supervisor monthly report** seconded by Councilman Burns. All in favor.

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilwoman Exley made a motion to accept the **September 2019 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,639.99** seconded by Councilman Gardner. All in favor.

○ **TOWN COURT MONTHLY FINANCIAL REPORT**

Councilwoman Exley made a motion to accept the Financial Report for the **Town of Dickinson Court** for the month of August 2019 in the amount of **\$47,538**.

October 15, 2019 - REGULAR MEETING

On a motion of Councilwoman Exley and seconded by Councilman Burns. All in favor.

Town portion: \$8,964.50

State portion: \$38,040

County portion: \$477.50

• **ABSTRACTS FOR APPROVAL**

On Motion from Councilwoman Exley, seconded by Councilman Gardner to approve **abstract # 10**, dated **October 10, 2019** in the amount of **\$182,466.40**. Vote Ayes- 4, Nays-0, Absent-1.

Supervisor Marinaccio voting Aye

Councilman Gardner voting Aye

Councilwoman Exley voting Aye

Councilman Morabito Absent

Councilman Burns Aye

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$182,446.40.

Voucher #10 for October 10, 2019 in the amount of 182,446.40:

<u>General Fund</u>	<u>\$79,063.61</u>
<u>Part Town</u>	<u>\$22.00</u>
<u>Highway</u>	<u>\$74,394.15</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$3,961.45</u>
<u>Sewer Operating Dist.</u>	<u>\$514.90</u>
<u>Water Operating Dist.</u>	<u>\$24,490.29</u>

PERSONNEL

Nothing to report

PLANNING BOARD

The October Planning Board meeting has been cancelled due to no agenda items.

REDUCTION OF WATER/SEWER BILL

A Town of Dickinson property owner addressed the board last week regarding a large water and sewer bill that he received due to a leaking toilet that went undetected. The property owner presented calculations and estimates for the board's review. In short, he asked the Town to forego \$800 of the \$3,200 total bill. Supervisor Marinaccio told the gentleman that the Board couldn't make a decision at that time as one of the members was absent but would have an answer for him by tonight's meeting. After review, the board members have agreed to grant a reduction of \$582.92 in his bill. He will set up a payment plan for the remaining balance. Public Works Commissioner Kie noted that the owner is paying for the cost of the water but not the fees associated with operation and maintenance.

On a motion by Councilman Burns, seconded by Councilwoman Exley to reduce Mr. Evans' water/sewer bill by \$582.92. All in favor.

October 15, 2019 - REGULAR MEETING

APPROVAL OF MINUTES

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the **Work Session and Regular Meeting Minutes of September 09, 2019** All in favor.

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

SEXUAL HARASSMENT TRAINING

Supervisor Marinaccio will set a date and time for the remaining 6 or 7 employees to have sexual harassment training.

ATTORNEY

2020 BUDGET

RESOLUTION 2019 - 27

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

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

RESOLUTION: SCHEDULE PUBLIC HEARING FOR 2020 BUDGET AT 5:30 PM, NOVEMBER 4, 2019

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

All in favor.

PROSPECT TERRACE FIRE PROTECTION CONTRACT

RESOLUTION 2019 - 28

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: SCHEDULE A PUBLIC HEARING FOR THE VILLAGE OF PORT DICKINSON FIRE PROTECTION CONTRACT FOR NOVEMBER 4, 2019 AT 5:40 PM.

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

All in favor.

October 15, 2019 - REGULAR MEETING

REPEAT OFFENDER LOCAL LAW

RESOLUTION 2019 -29

The following Resolution was offered by Councilwoman Exley, 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 PUBLIC HEARING FOR LOCAL LAW AMENDING CHAPTER 462 ENTITLED ‘SOLID WASTE MANAGEMENT’ REPEAT OFFENDER LOCAL LAW FOR NOVEMBER 4, 2019 AT 5:45 PM

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

All in favor.

WAIVE THE STATE AND LOCAL FEES ON MARRIAGE LICENSES FOR ACTIVE DUTY

RESOLUTION 2019 -30

The following Resolution was offered by Councilwoman Exley, 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: WAIVE THE LOCAL FEES ON MARRIAGE LICENSES FOR ACTIVE DUTY MEMBERS OF THE ARMED FORCES (NEW LAW PASSED BY THE GOVERNOR ON AUGUST 20, 2019)

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

All in favor.

PLANNING & ZONING BOARD

Nothing to report

October 15, 2019 - REGULAR MEETING

CODE ENFORCEMENT

Code Enforcement Officer Rafferty reported that he was contacted by a contractor who is interested in developing property on Glenwood Road. The contractor inquired about zoning and permitted uses relating to the placement of a hospital and/or educational facility on the property.

The contractor from **Speedway** notified the Town Clerk that they will no longer working be on the tank replacement project. Mr. Rafferty stated that another contractor will be completing the job and will have to start the project from scratch by applying for a new building permit and submitting workers compensation insurance papers.

PUBLIC COMMENTS

None.

The meeting was adjourned on motion of Councilman Gardner and seconded by Councilwoman Exley at 7:02 PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk