

November 12, 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, November 12, 2019 in the Town Hall, 531 Old Front St., Binghamton, NY. This meeting was held on Tuesday because Monday was the Veterans Day Holiday.

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:

- Angelo Catalano, 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 2 members of the general public.

BID OPENING:

The bid package opening for the Ford F550 Truck commenced on Tuesday, November 12, 2019 at 6:00 PM in front of the Town of Dickinson Town Board.

The one and only bid received was read by Town Clerk Susan Cerretani as follows:

<p>Chenango Sales Inc. 976 State Highway 12 Greene, NY 13778 \$49,999.00</p>

On a motion of Councilman Gardner and seconded by Councilman Burns authorizing Public Works Commissioner Kie to purchase the Ford F550 Truck from Chenango Sales Inc., for a total price of \$49,999.00 after verifying that all bid requirements are met. All in favor.

CHAIR

SUPERVISOR’S REPORT

**SUPERVISOR’S MONTHLY REPORT
November 2019**

1. I received a message from Lori Ahmed who is with the **NYS Health Department** informing me that the \$1M grant for the Brandywine Water Line Replacement project is now up for final approval. Ron Lake, Joel Kie and I will begin the project planning once all the approval documents are signed. I also met with Senator Akshar to let him

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SUPERVISOR’S REPORT CONTINUED

know about the approval and he will make sure that the grant will be re-appropriated for the State 2020 Budget year.

FROM NYS HEALTH: I just wanted to let you know that I have finished entering contract C34442GG into the Grants Gateway and have sent it to the Town for signature. For the Town to sign the contract in the Grants Gateway, someone at the Town will need to have the following role: “Grantee Contract Signatory.” Currently both you and Beverly Wike have the “Grantee Delegated Administrator” role. This role will allow you to assign the Grantee Contract Signatory role to someone, including yourself. I am attaching a Grants Gateway Vendor Manual for your reference. You will need to follow the steps on page 20 under the heading “2.2 Create User Accounts.”

2. I received a letter from Kathy Groover asking that the Town Board allow a lighted flagpole and plaque to be erected somewhere in the Sunrise Terrace park area and will be paid for with donated funds from the children of Lillian and Albert Vanek, longtime residents of Sunrise Terrace. The funds are held in trust with the **Sunrise Terrace Association**.
3. I received a call from the **NYS Department of Transportation Regional Director**, and he has agreed to conduct a meeting for the purpose of discussion on an alternate passage out of **Sunrise Terrace** in the event of evacuation notice. The meeting will take place on Thursday, Nov. 21, 10 AM, at the **NYSDOT** offices in the **State Office Building**. Besides representatives from **NYSDOT**, Sheriff Harder, a representative from **Broome County Emergency Services**, Public Works Commissioner Kie and I will be in attendance. I am hoping that someone from the **New York State Police** will also attend as well as from our local fire departments.
4. I reviewed the monthly **NBT** credit card Statement and no concerns were noted.
5. As a reminder, 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.
6. As a reminder, Joel Kie, Ron Lake and I are developing an informal plan of steps that we will need to take prior to the demolition of the **Sunrise Terrace Community Center**. I have also reached out to Kathy Groover who represents the **STA** to see if there is anything in the building that they would like to preserve. I have forwarded a list to the Board and the Town Attorney for their review.
7. At their request, I was interviewed by telephone by a representative of **STEM**, which stands for Science, Technology, Engineering and Math. It was an interesting interview which covered educational opportunities and needs not only in Broome County but throughout the country. **STEM** advocates a blended learning environment and showing students how the scientific method can be applied to everyday life. It teaches students computational thinking and focuses on the real-world applications of problem solving.

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SUPERVISOR’S REPORT CONTINUED

8. On Wednesday, November 6, a group of town officials and Kyle from the **Greater Binghamton Chamber** met with representatives from **NYSEG, NYSERDA** and **Dimension** in Ithaca to discuss the **Battery Energy Storage Project** being considered in our Town. We also toured 3 sites where **Battery Storage Projects** are now in place in the Ithaca area so that we have a better idea of how these projects work and look. Sites that we visited were **Cornell Lab of Ornithology, Circuit Deployed** and **Dairy One Laboratory**.
9. I have an abbreviated copy of the **SUNY Broome Annual Report**:
Total enrollment: 14,113, Total Credit Enrollment: 7113, Number of Communities Served: 490, Community Events Held on Campus: 150, Recent Industry Partnerships: 30, Total College Budget: \$57,668,000 Total College Employees: 1225
10. The next **Broome County Association of Towns & Villages** will be held on Thursday, Nov. 21, starting at 6:30 PM at the **My Uncles Place Restaurant**. Joel Kie is our guest speaker.

Code Violations Report:

62 Sowden St., large amounts of garbage bags along the side of the house, mattresses stored behind guard rail. This same address was sited again after inspection. Property not maintained in a safe and sanitary condition. Front steps with loose treads, no handrail on cellar steps, no approved containers for rubbish, plumbing system not maintained, sink leaks into basement, electrical cover on panel laying on floor, cellar bottom step not secured.

Dog Control Reports:

The October Dog Control Officer’s report has been submitted for Port Dickinson and the Town of Dickinson: Owner was bitten by his own dog, a 220 lb. bull Mastiff/Kane Korso mix. Owner needed medical attention. The caller the Port Dickinson Police Department wanted the dog removed from the owner’s property. The law states that we cannot remove a dog from its owner without a court order, we cannot ticket an owner for an act that happened against him on his own property by his own dog. The dog was secured in an enclosed porch and the owner went for medical attention.

A second report was made on the same day of the bite incident that the dog escaped the enclosed porch and was now running lose. Our officer was able to capture the dog and transported it to the shelter. This dog was very aggressive and bent the catch pole by biting it.

In the Town of Dickinson, we had a report of a stray dog running lose near the Town Hall.

NYSEG Warning Letter:

I did not receive any discontinuation of service letters from **NYSEG**.

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SUPERVISOR’S REPORT CONTINUED

Next Meeting: Next Board meeting will be on Monday, December 2, Work Session, 5:30 PM.

\$60,000 received from the Binghamton Sewage Plant

- \$26,200 received from the County for the Traffic Diversion Program
- \$14,345 received for inmate housing from other jurisdictions

Sunrise Terrace Building Plans

1. Storage shed has been purchased for storing various items from the building and is on site near the basketball court
2. The metal chairs that are stored in the basement will be discarded during the demolition
3. The BBQ grill will be saved
4. The refrigerator in the basement will be discarded
5. The tables and chairs in the main floor will be placed in storage
6. 2 gas ovens and a refrigerator as well as a microwave in the kitchen will be either sold or donated to a non-profit organization.
7. Most of the items stored in the kitchen cupboards will be discarded.
8. NYSEG will be contacted to do the disconnects prior to demolition
9. A Request for Proposals for Demolition will be posted in the newspaper
The building will be treated as containing asbestos and we will request a waiver from the Dept. of Labor as well as notifying them of the demolition.
10. We will try to donate or sell the HVAC/Furnace
11. The property will be graded once the demolition is complete.
12. We will plant additional trees or shrubs to create from Old Front St.
13. Develop a committee of residents from all points of our town to discuss future use of the property. Report to the Town Board on any progress or ideas and suggestions made by the committee for board consideration.
14. Seek additional grants to offset any costs incurred for any development relating to a community center, park, etc.

Having heard Supervisor Marinaccio’s plan for the surplus items in the Sunrise Terrace Community Center building, Attorney Catalano advised the board that we would not be able to donate the items. He stated that we would have to sell the items at fair market value - even if only for a dollar. Attorney Catalano mentioned there is a **State Surplus** site on **EBAY** that we could use to sell the items. We could stipulate that the items would have to be picked up and the items would not have any warranties.

PUBLIC COMMENTS

A Town of Dickinson resident expressed his thanks and appreciation for the hard work involved in obtaining the million-dollar grant, which subsequently relieves the town residents from increases in taxes.

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COMMITTEE REPORTS

• **PUBLIC WORKS**

- Ford F550 Truck bid
- Street sweeper demonstration
- Ferndale Drive paved – Councilman Morabito passed on thanks and positive feedback received from residents for a job well done.
- **BAGSAI** water bill of approximately \$10,000 due to a broken water line. The County has agreed to pay the bill.
- County is considering adding lighting at the **BAGSAI** softball fields

• **FINANCE**

- **SUPERVISOR MONTHLY REPORT**
Councilman Morabito made a motion to accept the **September 2019 Supervisor monthly report** seconded by Councilman Gardner. All in favor.
- **TOWN CLERK MONTHLY FINANCIAL REPORT**
Councilman Morabito made a motion to accept the **October 2019 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,424.40** seconded by Councilwoman Exley. 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 2019 in the amount of **\$43,526**. On a motion of Councilman Morabito and seconded by Councilwoman Exley. State: \$34,787.00 County: \$440.00 Town: \$8,275.00 Other: \$24.00
All in favor.

• **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 11**, dated **November 12, 2019** in the amount of **\$326,096.70**.

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.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$326,096.70.

Voucher #11 for November 12, 2019 year in the amount of \$326,096.70:

<u>General Fund</u>	<u>\$109,358.62</u>
<u>Part Town</u>	<u>\$3,500.00</u>
<u>Highway</u>	<u>\$111,205.73</u>
<u>Fire districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$4,073.38</u>
<u>Sewer Operating Dist.</u>	<u>\$23,149.29</u>
<u>Water Operating Dist.</u>	<u>\$74,809.68</u>

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- **PERSONNEL**
 - Councilwomen Exley reported that the recently hired court clerk is no longer working for the court.
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- **PLANNING**
 - Nothing to report at this time.

APPROVAL OF MINUTES

On a motion by Councilwoman Exley seconded by Councilman Gardner to approve the **Work Session and Regular Meeting Minutes of October 7, 2019 and October 14, 2019**. All in favor.

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

ATTORNEY

RESOLUTION ADOPTING 2020 BUDGET

Attorney Catalano stated that a Public Hearing was held at last week’s work session regarding the **2020 Budget**.

RESOLUTION 2019-31

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 2020 BUDGET

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.

Budget available in the Clerk’s Office and posted on the Town of Dickinson website.

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VILLAGE OF PORT DICKINSON FIRE PROTECTION DISTRICT #3 CONTRACT

Attorney Catalano stated that a Public Hearing was held at last week's work session regarding the **Port Dickinson Fire Protection District** contract.

RESOLUTION 2019-32

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: ACCEPTING THE VILLAGE OF PORT DICKINSON FIRE PROTECTION DISTRICT #3 CONTRACT.

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

REPEAT OFFENDER LOCAL LAW

Attorney Catalano stated that a Public Hearing was held at last week's work session regarding the repeat offender local law.

RESOLUTION 2019-33

The following Resolution was offered by Councilman Morabito, 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: ADOPTING A LOCAL LAW 2019-3 AMENDING CHAPTER 462 ENTITLED 'SOLID WASTE MANAGEMENT' REPEAT OFFENDER.

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 the Department of State.

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RESOLUTION 2019-34

The following Resolution was offered by Councilman Morabito, 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: RESOLUTION: APPOINTING COUGHLIN & GERHART AS ATTORNEYS, OUTSIDE THE RETAINER, FOR PROPERTY NUISANCE ISSUES, EFFECTIVE OCTOBER 1, 2019 AT A RATE OF \$200.00 PER HOUR.

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.

STATUS NORTH ELY STREET EASEMENT

Attorney Catalano received a map of the North Ely Street easement area and would like Public Works Commissioner Kie to confirm the area.

PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT

- Public Works Commissioner Kie reported that the Highway Department experimenting with using a new mixture to treat the roads this winter that contains molasses. The benefit of using the mixture is that we will use less salt and it is less corrosive.
- Terry Carroll will meet with Engineer Lake and Public Works Commissioner Kie next week to discuss the next part of the NYSERDA grant – LED bulb replacement, swap incentive and disposal.
- Mr. Lake and Mr. Kie will be attending a training session on code enforcement for battery storage this Thursday evening in Elmira.
- The Highway Department will continue picking up leaves until they are gone or as weather permits.

PLANNING & ZONING BOARD

Nothing to report.

CODE ENFORCEMENT

Code Enforcement Officer Rafferty reported that 2 trailer loads were removed from a Sowden Street property. There are 23 bags of garbage on the side of the house. There have been law enforcement issues at the residence and the authorities are working together to correct the problems.

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3rd QUARTER SALES TAX

\$239,000.00 this quarter

\$714,000 2019 budget

The **Battery Energy Storage Committee** meeting will be held Wednesday, December 11th in the Town Hall conference room.

The meeting was adjourned on motion of Councilman Morabito and seconded by Councilman Burns at 7:03PM.

Respectfully submitted,

Susan M. Cerretani
Town Clerk