

## July 8, 2019 - WORK SESSION & REGULAR MEETING

The Work Session and Regular Meeting 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, July 8, 2019 in the Town Hall, 531 Old Front Street, Binghamton, New York.

This is the first of the regular meetings which begins 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, Councilman

Sharon M. Exley, Councilwoman (arrived after the meeting was adjourned into Executive Session)

Thomas J. Burns, Councilman

Absent: Danny F. Morabito, Councilman

Also attending:

Oliver N. Blaise III, Esq., Town Attorney

Susan M. Cerretani, Town Clerk

Public Works Commissioner Joel Kie, Code Enforcement Officer Steve Rafferty, Town Engineer Ron Lake, Administrative Assistant Beverly Wike, Zoning Board Chair Jeanne Compton and 2 members of the general public.

## SUPERVISOR'S MONTHLY REPORT

### July 2019

1. As a reminder, The Annual Color Run date is July 14, starting in the morning and will take place at the **SUNY Broome** campus. The walk/run route remains the same as in previous years
2. The Battery/Energy Storage committee have been conducting meetings and doing a great job in researching this type of project. I have kept the Fire Department chief, Jason Delanoy up to date in what this project consists of and he is doing his research as well. I contacted Bob Pass from **NYSEG** and Town Supervisor of Lansing in Tompkins County who is involved in a similar project and we are planning to do a site visit there soon. Steve Gardner, Joel Kie, Steve Rafferty, Jim Love, Dave Wasser are the committee members.
3. We are working on completing the preliminary applications and other paperwork we received regarding the \$1 million-dollar grant for our large water line project. Joel and town engineer Ron Lake are working on the applications and we may get other professional assistance in the applications. Our contact person in the **NYS Department of Health**, Lori Ahmad, has been very helpful. Her department oversees the project and once all our applications have been filed and approved, the grant goes to the **NYS Audit and Control** for further review. We cannot start this project until all approvals are complete. We have asked for a project completion extension date.

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### SUPERVISOR'S REPORT CONT'D

4. I attended the "Our Community Salutes of High School Enlistee Recognition Ceremony" which took place on June 19, Windsor High School, in recognizing and honoring local high school seniors who will be joining the military after graduation. It was a very inspirational event and I was honored to be invited.
5. I attended the County Shared Services meeting on Wednesday, June 26, 4 PM. About 8 municipalities attended. The County executive announced that the request to add use tax on cell phone bills to help pay for the new multi-million-dollar communication towers was approved by the state legislature. We also discussed how the county will cover the sales taxes that will be coming via sales tax on internet purchases. More on that as more information becomes available.
6. Joel and I met with Mary McFadden from the Broome County Department of Health regarding a possible \$23,500 grant from her department to cover the costs of cement for sidewalk replacement. We identified sidewalks on Prospect St. for replacement. We need to approve the **Complete Streets Resolution** in order to qualify for the Grant. Joel can explain in more detail about the resolution.
7. Joel and I met with a group of engineers from the **NYS Department of Transportation** to discuss the construction of a new bridge that crosses over I-81 on Front St. Discussion included a possible traffic circle at the intersection of Front and Old Front. Studies are being done on this and a public hearing will be held soon. I encourage town officials to attend this hearing. We also discussed the current status of the walk bridge and it is my opinion that this bridge due to its very poor condition, will be demolished once the new Front St. bridge is complete. The old Front St. bridge will remain in use as the new bridge is being built along the side of it.
8. We will once again honor **Maria Zobniw**, one of the victims in the **American Civic Association** tragedy that took place 10 years ago. The event will be on Monday, July 22, starting at approximately 11 AM and will take place at the **Maria Zobniw monument** across from the **Prospect Terrace Fire Station**. Everyone is invited to attend. I have been working with her husband Lubmir and with Joel. Father Ted from the **Sacred Heart** congregation will be in attendance as well as various officials.

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**SUPERVISOR'S REPORT CONT'D**

**Code Violations Report:**

1. Appearance ticket issued to 16 Stearns rd., property Maintenance /sanitary code violations.
2. Appearance ticket issued to 48 Sowden, violation of building code, construction without a permit.
3. Appearance ticket issued to 68 Sowden, violation of building codes, handrails.
4. Appearance ticket issued to 7 JT Blvd., violation of property maintenance code, brush grass, weeds, etc.
5. Appearance ticket issued to 62 Sowden, garbage on front porch.

**Dog Control Reports**

Report has not been submitted as of today

**NYSEG Warning Letters:**

No NYSEG warnings issued

**Next Meeting:**

The next Board meeting will be on Monday, August 19 at 5:30. Work Session and Regular Meeting. This meeting is on the third Monday of August.

**PUBLIC COMMENTS**

Regarding the proposed route 11 bridge construction project, resident Jim Love asked for verification of the location of the replacement bridge – will it be on the north or south side of the existing bridge. Public Works Commissioner Kie replied that it will be located on the north side of the existing bridge.

**COMMITTEE REPORTS**

- **PUBLIC WORKS**
  - Councilman Gardner reported that the North Moeller Street project has been completed. A new water main and storms have been installed.

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- **FINANCE**

**TOWN CLERK MONTHLY FINANCIAL REPORT**

Supervisor Marinaccio asked for a motion to accept the **June Monthly Financial Report** for the **Town Clerk in the amount of \$1,365.59**. On a motion by Councilman Gardner seconded by Councilman Burns. All in favor.

<b>Town Clerk's Report</b>	
<b>June 2019 in the amount of \$1,365.59:</b>	
<b><u>NYSDOH</u></b>	<b><u>\$22.50</u></b>
<b><u>NYS Ag &amp; Markets spay/neuter program</u></b>	<b><u>\$52.00</u></b>
<b><u>Supervisor Town of Dickinson</u></b>	<b><u>\$1,365.59</u></b>

- **PERSONNEL**

- Nothing to report.

- **PLANNING**

- There was no planning board meeting in June.

**ABSTRACTS FOR APPROVAL**

On Motion from Councilman Gardner, seconded by Councilman Burns to approve **abstract # 7**, dated **July 8, 2019** in the amount of **\$164,678.38**. Vote Ayes-3, Nays-0, Absent-2.

Supervisor Marinaccio voting Aye  
Councilman Gardner voting Aye  
Councilwoman Exley Absent  
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 \$164,678.38.**

**Voucher #7 for July 2019 in the amount of \$164,678.38:**

<b><u>General Fund</u></b>	<b><u>\$21,035.99</u></b>
<b><u>Part Town</u></b>	<b><u>\$63.43</u></b>
<b><u>Highway</u></b>	<b><u>\$104,529.11</u></b>
<b><u>Fire districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$4,006.15</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$7,707.43</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$27,336.27</u></b>

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**APPROVAL OF MINUTES**

On a motion by Councilman Burns seconded by Councilman Gardner to accept the **Work Session June 3, 2019 and Regular Meeting Minutes of June 10, 2019**. All in favor.  
Vote Ayes-3, Nays-0, Absent-2.

**ATTORNEY**

**BATTERY ENERGY STORAGE LOCAL LAW**

Attorney Blaise stated that the committee will gather comments and meet with Attorney Catalano at the end of the month to discuss and revise the **Battery Energy Storage** proposal. Committee member Jim Love wanted to know the proper timeline sequence and asked if we must pass the Local Law first and then pass the **Community Host Agreement** or vice versa. Attorney Blaise stated that he would like to see a Local Law put in place first and then adopt the **Community Host Agreement**. However, Mr. Blaise stated that before we proceed, he is having Attorney Catalano research **Community Host Agreements**; specifically, the Town's agreement with the jail and another less complex agreement as a guide to see if a **CHA** can be used on this type of project.

**NORTH ELY STREET DEED**

Attorney Blaise stated that the deed, drafted paperwork and survey of the North Ely Street property have been sent over to Mr. Armstrong's attorney.

**LOCAL LAW REPEAT OFFENDER FOR GARBAGE/SOLID WASTE VIOLATIONS**

Attorney Catalano will be distributing a draft of the local law - repeat offender for garbage/solid waste violations for the board members to review.

**MARIA ZOBNIW DAY PROCLAMATION**

**RESOLUTION 2019-17**

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: DECLARING JULY 22, 2019 AS MARIA ZOBNIW DAY IN THE TOWN OF DICKINSON**

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 –3, Nays – 0, Absent-2.

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

All in favor.

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**COMPLETE STREETS**

Attorney Blaise read the text of the resolution **Establishing A Sustainable Complete Streets Policy for Street and Transportation Projects** and noted he will make a few language changes to the document.

Supervisor Marinaccio stated that we need the **Complete Streets** resolution in place in order to be eligible for sidewalk replacement project monetary assistance.

**RESOLUTION 2019-18**

The following Resolution was offered by Councilman Burns, 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 A RESOLUTION ESTABLISHING A SUSTAINABLE COMPLETE STREETS POLICY FOR STREET AND TRANSPORTATION PROJECTS.**

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 –3, Nays – 0, Absent-2.

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

All in favor. Resolution attached.

**ADAMS DRIVE – HARSH SEWER LATERAL PAYMENT AGREEMENT**

Attorney Blaise instructed Clerk Cerretani to file the sewer lateral payment agreement between the Town of Dickinson and Kristan and Debbie Ann Harsh of 117 Adams Drive with the Broome County Clerk’s office. If the current property owners ever decided to sell the property, the agreement would be found as a record attached to the property in a title search.

**DEPARTMENT REPORTS**

**PUBLIC WORKS – WATER DEPARTMENT & HIGHWAY DEPARTMENT**

- Public Works Commissioner Kie reported that the Highway Department will continue the milling and paving of Old Front Street.

**CODE ENFORCEMENT**

- **FIRE AT ECONOLODGE**  
Code Officer Rafferty reported on the recent fire at the **EconoLodge** on Front Street. The fire that occurred was arson. The smoke alarms and strobe lights went off as they were supposed

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to do. The housekeeper complained to the front desk the alarms were making too much noise and the alarms were turned off. By the time the Sheriff Department got there the hallway was filling up with smoke. Since the alarms were turned off, it was reported that people were hesitant to leave their rooms. Electric was turned off to that room, fire was contained to that room. No occupancy was allowed on that wing the night of the fire. There were enough rooms for the people on that wing to find other rooms within the motel. Shortly after Mr. Rafferty got home, he got a call from the detective's unit that they could not reset the simplex fire system. They informed him that if they couldn't get the system reset, the motel couldn't stay open and occupants would have to leave. He returned to the motel about 10:00. Simplex called back and informed owner how to reset the alarm. The alarm was operation at 11:00 P.M. The fire extinguisher was replaced in the wing and permission was granted to occupy the rest of the wing except for the room with the fire.

### **GRANT APPLICATION**

Town Engineer Ron Lake is in the process of preparing the application to submit to NY State for the million-dollar grant that will be used to fund the **Brandywine Heights** project. Supervisor Marinaccio stated that the application will first go to the **Department of Health** because it is a water project. Once approved, it goes to **Audit and Control**. They sign off that the money is set aside and then it goes to **Senate Finance**. March 31 is the completion date and then an extension will be requested.

### **PUBLIC COMMENTS**

Councilman Gardner commented that he is grateful that Mr. Kie and Mr. Rafferty from the Code Department were watching out for him in that they corrected a contractor's potential structural error on a personal construction project of his.

The meeting was adjourned into Executive Session on motion of Councilman Gardner and seconded by Councilman Burns at 6:12 PM.

Executive Session adjourned at 6:42 PM.

Respectfully submitted,

**Susan M. Cerretani**

Town Clerk