

**July 12, 2021 - WORK SESSION & REGULAR MEETING**

The Work Session and Regular Meetings of the Town of Dickinson Town Board were called to order with the pledge of allegiance by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, July 12, 2021, at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

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  
Thomas J. Burns, Councilman  
Danny F. Morabito, Councilman

Also attending:

Nathan D. VanWhy Esq., Attorney for the Town  
Karen M. O'Neil, Deputy Town Clerk  
Susan M. Cerretani, Town Clerk via Zoom  
Public Works Commissioner Joel Kie, Code Enforcement Officer Steve Rafferty, Town Engineer Ron Lake, Zoning Board Chair Jeanne Compton, Administrative Assistant Beverly Wike, and resident Jim Love.

Absent:

Sharon M. Exley, Councilwoman

Supervisor Marinaccio experienced some technical difficulties with the Zoom connection.

**July 2021, Supervisor's Report**

For those persons who want to attend our meetings in-person, we only ask that if you have not received the **COVID** vaccines, that you wear a mask when entering our Town Hall. All town staff and officials have been vaccinated. We will also practice safe distance space with the seating in the board room for those attending our Town, Zoning, Planning and all other in person meetings. In the event that there is an uptick in **COVID** cases throughout the County, we will take appropriate action to keep our staff and residents safe.

**Last night's storm:**

As everyone is aware, we got hit with a tremendous down pour that cause widespread flash flooding in our town and through the Southern Tier. Joel and I began touring the town to identify storm affected areas of our town including areas around Morning Side heights in the Town of Chenango. As happened many times in the past, a main storm line in Chenango became plugged and water was pouring in our side in Chenango Shores. A few homes experienced severe damage to basements, garages, etc. Boland Rd. was flooded with about 4 feet of water in the low point of the road near Front St. A car must have tried to drive through and became swamped in the deep part. Driver was able to get out of the car.

After a short time of Joel and I doing assessment, I decided to call a State of Emergency last night with no necessary driving. Town of Chenango did the same. I lifted a SOE this morning. We also found Deyo Hill Rd. to be covered with fast running water and a great

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### SUPERVISOR'S REPORT CONT'D

deal of debris. Joel called in his staff, and everyone came in to assist in cleaning our culverts, plowing the debris off the roads, etc. Public works staff performed admirably. There are other residents who have sustained a great deal of damage some of whom I have talked to last night and this morning. I plan on having a meeting with both Johnson City and Town of Chenango to discuss the areas in their municipalities that are causing flooding in our town. There are no easy fixes, but something needs to be done to prevent or at the very least, lessen these flash flood occurrences. And there is more rain on the way, so we need to remain vigilant. I also want to thank Joel in how he has handled this emergency vent. We did not finish up last night until after 2 am and public works staff were up and back at it this morning.

1. I have submitted applications for the **American Rescue Fund** program as well as for the **County Community Grant** for \$10K and resubmitted for the **DASNY Grant** that has taken 5 years by the state to award to us. My hope is to use some of the funds to pay for our new doors, security system for the town hall, security system for our park, etc. We need to meet as a board to begin discussions on how we want to use the funds from the **American Rescue Plan** while keeping in mind the various restrictions that will be attached to the grant. We should be receiving two payments, one this year and one next year for an approximate total of \$1.2 million which over \$300K will go to the Village.
2. I attended a webinar sponsored by **The Agency** regarding the **NYS Marijuana Regulations/Act**. I found the meeting to be very informative. Items covered were residential planting and as of today permits will not be required for private use, jobs that will be developed such as cultivation, blending, sales, etc. Taxes: 3% to towns, 1% to county, 9% to state. State will disperse their funds with 40% to education and the remaining funds to treatment grants. Keep in mind that marijuana remains illegal in Pennsylvania so we can expect a flow of consumers from there. 2022 is the most likely date that all of this will begin. Zoning could play a role for retail, so we need to stay on top of that.
3. We have had a few instances of persons drinking alcohol in our park. We believe that there are some folks who live at the hotels across the road that are involved in this behavior. I have been in contact with one of the hotel owners and he promised to be very vigilant in making sure that his tenants do not break any park regulations. I was also told that both hotels are installing security cameras outside to monitor activities. The sheriff's department has been kept informed and are patrolling the area as often as they can.
4. On Friday, July 9, I participated in the Chamber sponsored panel discussion, along with Mayor David, Supervisor Klenovic and Supervisor Matterese to discuss how **COVID** has impacted the municipalities and how we will use the American Rescue funds. Sharon Exley, Joel, and I will be meeting to put together a draft plan on the possible use of the funds and present to the board at our next meeting.

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**SUPERVISOR'S REPORT CONT'D**

5. I received a letter from **NYS DOT** regarding a pavement improvement project where 16.8 miles of Interstate 81 and State Route 17 in the city and in our town will be treated. The project will begin and be completed during the 2021 construction season. There will be various temporary closures as the project moves forward.
6. We spent some time on working on the 5-year-old **DASNY Grant**. There were a few more documents that needed to be signed and confirmed. This is the \$50K that will pay for our new doors and security system.
7. I applied for a \$10K from the **County Small Communities Grant** to pay for a video security system for the Dickinson Terrace Park.

**Code Violations**

1. 373 Prospect, retaining wall falling in
2. 149 Iris Dr., broken window
3. 9 N. Broad, mattress at curb, not disposed of
4. 33.5 N. Broad, tall weeds & grass
5. 2 N. Broad, new steps and landing, Building Permit required, stop work order issued
6. 223 Rundall Pl., abandoned trailer full of various junk, not licensed, in town right away
7. 701 Old Front St., cardboard at curb, not in recycling can, not being picked up. Shrubs overhanging hanging sidewalk impairing pedestrians

**Building Permits**

- 1.435 Glenwood Rd., tele-communications tower
- 2.267 L. Stella, new roof
- 3.39 Sunrise Dr., roof tear-off
- 4.87 Terrace Dr., house siding
- 5.134 Elaine Dr., install pool
- 6.145 Iris, new roof and gutters
- 7.2 N. broad, new stairs and landing

**Dog Control Monthly report**

A total of 10 calls were addressed. Dog barking for a period of time, addressing dangerous dog, stray dogs, dogs not licensed, lost dogs, dogs running loose, dog defecating on neighbor's property, past due license renewals

All of these incidents were addressed by our DCO.

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**SUPERVISOR'S REPORT CONT'D**

**NYSEG UTILITY SHUTOFF NOTICES**

There were no NYSEG notices sent out to any of our residents this month

Our next Town Board Meeting is scheduled for August 9, 2021, 5:30 PM, in person, summer board meeting schedule and is subject to change pending any emergency issues. This is a combination of work session and regular board meeting.

**PUBLIC COMMENTS**

Resident Jim Love questioned the Downs Avenue **Dunkin Donuts** application and asked what circumstances have changed since the last application was submitted years ago. Supervisor Marinaccio replied that nothing has changed regarding the **Dunkin Donuts** application, and it will most likely be voted down based on data from the County and **NYSDOT**.

**COMMITTEE REPORTS**

• **FINANCE**

**TOWN CLERK MONTHLY FINANCIAL REPORT**

Supervisor Marinaccio asked for a motion to accept the **July Monthly Financial Report** for the **Town Clerk in the amount of \$1,596.50**. On a motion by Councilman Gardner seconded by Councilman Burns. All in favor.

**COURT MONTHLY REPORT**

Councilman Gardner made a motion to accept the **May 2021 Monthly Financial Report** for the **Town Court**.

State: \$18,593.50 Town: \$4,245.00. On a motion by Councilman Gardner seconded by Councilman Morabito. All in favor.

• **PERSONNEL**

- Job position will be posted on the website soon.

• **PLANNING**

- The Planning Board reviewed the visual impact on the environmental assessment form and declared themselves lead agency at the meeting regarding the **Solar Farm**. Mr. Rafferty stated that everything will go to the County for a **239** review. Attorney VanWhy stated that New York State is coming out with a new uniform methodology for assessment of these types of properties.

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**ABSTRACTS FOR APPROVAL**

On a motion from Councilman Gardner, seconded by Councilman Burns to approve **abstract #7**, dated July 12, 2021, in the amount of **\$105,405.02**. Vote Ayes-4, Nay -0, Absent-1.

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

Unanimously passed and noted as duly adopted.

**Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$105,405.02**

**Voucher #7 for July 2021 in the amount of \$105,405.02:**

<b><u>General Fund</u></b>	<b><u>\$61,250.28</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$22,809.71</u></b>
<b><u>Fire districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$2,363.10</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$2,379.37</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$16,602.56</u></b>

**APPROVAL OF MINUTES**

On a motion by Councilman Gardner seconded by Councilman Morabito to accept the June 7, 2021, Work Session Minutes & the Regular Meeting Minutes of June 14, 2021. All in favor. Vote Ayes-4, Nays-0, Absent-1.

There was a discussion that the initial draft minutes which were distributed to the members did not state a reason for entering Executive Session. Attorney VanWhy noted that the draft minutes have since been amended to include the reason for entering Executive Session.

Nonetheless, the board voted on the changes even though the minutes had been revised in the second draft version and had been distributed to the members and published on the website.

On a motion by Councilman Gardner seconded by Councilman Morabito to accept the changes for the June 7, 2021, Work Session Minutes & the Regular Meeting Minutes of June 14, 2021. All in favor. Vote Ayes-4, Nays-0, Absent-1.

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**ATTORNEY**

**GRANT DISBURSEMENT AGREEMENT**

**RESOLUTION 2021 - 19**

The following Resolution was offered by Councilman Gardner, 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: AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE GRANT DISBURSEMENT AGREEMENT.**

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 Absent  
Councilman Morabito voting Aye  
Councilman Burns voting Aye

All in favor.

**STATUS: APPRAISAL ON THE LOT NEXT TO THE HIGHWAY GARAGE**

Attorney VanWhy is still waiting to hear back.

**NOISE VARIANCE FOR THE BRIDGE REPLACEMENT PROJECT**

Mr. VanWhy reported that currently the contractor is scheduled to set steel September 8-14, 2021. This date is going to change because of material shortages experienced by the steel supplier. They are doing their best to meet the contractor's schedule, but the date keeps getting pushed.

**STATUS: LITIGATION SUNSET DRIVE PROPERTY**

Attorney VanWhy stated that process service should be completed by the end of next week.

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

Public Works Commissioner Kie reported that many residents are frustrated after being flooded for the first, second and third time. They are looking for a solution. Supervisor Marinaccio stated that The Town of Chenango had the opportunity to correct the problem years ago and turned it down. He will be meeting with the Town of Chenango Supervisor to discuss the drainage problems.

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Mr. Kie reported that the Highway Department did not collect yard waste today because they were busy cleaning up the storm debris. Yard waste pick up will resume tomorrow.

Public Works Commissioner Kie reported that they will be replacing the water main from N. Ely Street to Macomber Avenue starting tomorrow, July 13th.

**CODE ENFORCEMENT**

Nothing to report.

**ZONING**

Nothing to report.

**PUBLIC COMMENTS**

None heard.

The meeting was adjourned on a motion of Councilman Morabito and seconded by Councilman Burns at 6:20 PM.

Respectfully submitted,

**Susan M. Cerretani, RMC**

Town Clerk

ko/SMC