

January 10, 2022– 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, January 10, 2022 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

Meeting Link:

<https://us02web.zoom.us/j/88510356350?pwd=dzFSL1luZDJPMXcrUHpJb0hxWnlHQOT09>

Meeting ID: 885 1035 6350

Passcode: 066119

Phone-in: 1-646-876-9923

The members of the Town Board present via Zoom were:

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

Also in attendance:

Nathan D. VanWhy, Esq., Town Attorney (via Zoom)
Susan M. Cerretani, Town Clerk
Code Enforcement Officer Stephen Rafferty, Public Works Commissioner
Joel Kie, Zoning Board Chair
Jeanne Compton, Town Engineer
Ron Lake, and one member of the public.

CHAIR

Supervisor’s Report

January, 2022

Don’t Wait, Vaccinate

For those persons attending our meetings in-person, we ask that everyone wear a mask when entering our Town Hall. We will practice safe distance seating in our board room for those attending our town board, zoning board and planning board meetings. In the event of the County and or our Town calling a State of Emergency due to increases in COVID-19 cases in the County, we will take appropriate action to keep our staff and residents as safe as possible including the cancelation of in person meetings. At the present time, COVID cases have increased, and our local hospitals are at or close to full capacity. Please don’t wait, vaccinate.

Supervisor’s Report

2021 was very similar to 2020 and the end of 2019 in terms of the challenges that we faced in dealing with COVID-19 and how it affected how we governed and how we budgeted to keep our town running as smooth as possible and serving our constituents in an effective and cost-efficient manner. We accomplished that through teamwork. Staff and elected officials worked together through these difficult times and as of today, we are doing very well. I want to thank everyone for their efforts, especially our town clerk staff, public works staff, court staff, code, bookkeeping/financial staff, planning and zoning boards and

January 10, 2022– REGULAR MEETING

SUPERVISOR'S REPORT CONTINUED:

everyone else who stayed the course and got us through these very trying times. We will continue to deal with these challenges in 2022 but I am very confident that we will get through the year as long as everyone remains vigilant and continues to work as a team. We may need to make some difficult decisions throughout the year and effective communication will be the key factor in dealing with whatever crisis that we may face. My heartfelt thanks to all of you.

1. Just a reminder: Residents who fail to pay their water/sewer bills will be sent water turn off warning, and if bills are not paid, we will turn off their water until the bill is paid. This will start in January and will be strictly enforced.
2. I reviewed the town credit card charges and found no issues
3. I will be attending a virtual meeting on January 4, 1 PM, with representatives of the **NY State Police** regarding recruitment efforts and how municipalities can assist.
4. I have agreed to join forces with the **Town of Chenango** in an effort to get financial assistance from the **NY State Senate** for the estimated \$12 million to mitigate the flooding that has been occurring in Chenango for many years and of which has impacted our residents in the **Chenango Shores** area. I have sent a letter to Senator Akshar regarding this effort. Some of our residents in this area have sent in the surveys to Chenango in an effort to identify affected homes in **Chenango Shores**.
5. **Broome County Real Property Director Michael Decker** has sent a notification to the occupant of 51 Pulaski (county owned property as of Jan. 15) that they must vacate the property immediately. Property will be auctioned on March 24. Due to the enormous junk and debris that has accumulated on the property, the county has ordered the County Landfill to begin picking up this filth. Joel will follow-up with an onsite visit.
6. Regarding properties that are abandoned or who do not pay their taxes and water/sewer bills, I had a very long conversation with Broome County Legislative Chairman Dan Reynolds and told him of our frustrations with these properties and their owners and especially when the county takes over a property. Dan agreed that clarification and explanations are essential in getting to understand the impact that these properties have on local governments. I have been tasked to schedule a meeting in the near future to discuss this issue. Potential attendees would be County Executive, Real Property Director, County Attorney, and any other essential person who is familiar with the process.
7. I received another letter from then **NYS Agriculture and Markets** indicating that all unsatisfactory conditions at the County Dog Shelter have been addressed and now meet satisfactory status.
8. As of January 1, of this year, I want to welcome the Honorable Randy Hall as our newly elected Town Judge. I also want to thank Judge Patrick Doyle who decided not to run for re-election. We wish Judge Doyle all the best as he moves forward in his career. I also want to welcome our newly appointed Court Clerk Stacy Thatcher who replaces Kendra Iannone who resigned at the end of December, and we wish her well in her position with the Town of Vestal.

January 10, 2022– REGULAR MEETING

SUPERVISOR’S REPORT CONTINUED:

9. I received a letter from our **Town Court Justices** and the **NYS Unified Court** regarding meeting the court audit policies. We will be contacting Michael Giovinazzo who performs our audits and plan to do the audit as time allows.
10. Starbucks has submitted preliminary plans to change how the drive-up traffic will be handled. They are trying to eliminate the number of vehicles that at times, are in the Front St. driving lane waiting to drive up to the drive-in window,

Code Violations/Appearance Tickets

1. 51 Pulaski, various trash and debris on property (county owned as of Jan. 15)
2. 29 Pulaski, various debris in driveway
3. 39 Pulaski, junk everywhere, appliances, wood, metal, in driveway, backyard, and other
4. 158 Bigelow, various construction debris, fencing, car battery, other junk on the property
5. 409 Glenwood, sewer lateral is leaking on property
6. 561 Old Front St., building new stairs on back of house, no permit
7. 28 Adams St., furniture in the front yard
8. 48 Pulaski, garbage around the house
9. 50 Pulaski, trash, and debris around the property
10. Appearance ticket issued to the owner of 156 Bigelow St., there is an extremely amount of garbage and other debris on the property including waste and other garbage stored in the garage. Also, a after a great deal of time and effort spent in dealing with raw sewage coming from this property on to the driveway and affecting the neighbors, the tenants and owner was notified that the water would be turned off which it was. The owner has a court appearance this Thursday. I have directed our department to not turn the water on until the entire property is cleaned up and the sewer is proven to be repaired. Also, **Broome County Department of Social Services** was notified on the violations on this property and the **Spiegel Act** was enacted. This act is in regard to violations affecting this property and constitutes a condition that is dangerous, hazardous, or detrimental to life or health. This is a **Social Services Law, Section 143-B**
11. I made some minor changes to the committee assignments: Dan Morabito will partner with me as liaison to the Planning & Zoning Boards, Tom Burns will partner with Sharon Exley on the highway committee, and I will step aside in that committee, but I will work with our code enforcement staff as I have done in the past.
12. Regarding the **Annual Training School** that is put on by the **NY Association of Towns**, the likelihood of it being canceled is great. However, those who signed up for the event can still attend the classes via zoom which will be sent to anyone who did sign up.
13. It is time to start the process of generating the 2022 Town newsletter.

January 10, 2022– REGULAR MEETING

SUPERVISOR’S REPORT CONTINUED:

Building Permits

1. Building Permit issued to 12 Pleasant Ct., new fence

Dog Control Reports

TOWN: Dog running loose around the wetlands area between highway and **Otsiningo Park**, Missing dog, after several follow-ups, dog not found
VILLAGE:

NYSEG UTILITY SHUTOFF NOTICES: No notices received

Next Town Board Meeting

Our next Town Board meeting is scheduled for Monday, February 7, 5:30 PM work session. This meeting will be in person and on **ZOOM** barring any technical and or **COVID** issues.

COMMITTEE REPORTS

- **PUBLIC WORKS**
 - Councilperson Exley had nothing new to report.
- **FINANCE**
 - **TOWN CLERK MONTHLY FINANCIAL REPORT**
Councilperson Gardner made a motion to accept the **December 2021 Monthly Financial Report** for the **Town Clerk** in the amount of **\$995.60**, seconded by Councilperson Exley. All in favor.
 - **ABSTRACTS FOR APPROVAL**

On a Motion from Councilperson Gardner, seconded by Councilperson Morabito to approve **abstract #13** dated **December 31, 2021** in the amount of **\$99,711.68**.
Vote Ayes- 5, Nays-0, Absent-0.

Supervisor Marinaccio voting Aye
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

Unanimously passed and noted as duly adopted.

January 10, 2022– REGULAR MEETING

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$99,711.68.

Voucher #13 for December 31, 2021 year in the amount of \$99,711.69:

<u>General Fund</u>	<u>\$31,094.31</u>
<u>Part Town</u>	<u>\$0.00</u>
<u>Highway</u>	<u>\$40,647.29</u>
<u>Fire Districts</u>	<u>\$0.00</u>
<u>Light Districts</u>	<u>\$2,394.88</u>
<u>Sewer Operating Dist.</u>	<u>\$2,387.70</u>
<u>Water Operating Dist.</u>	<u>\$23,187.50</u>

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **abstract #1** dated **January 10, 2022** in the amount of **\$512,470.36**.

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

- Supervisor Marinaccio voting Aye
- Councilperson Gardner voting Aye
- Councilperson Exley voting Aye
- Councilperson Morabito voting Aye
- Councilperson Burns voting Aye

Unanimously passed and noted as duly adopted.

Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$512,470.36.

Voucher #1 for January 10, 2022 year in the amount of \$512,470.36:

<u>General Fund</u>	<u>\$79,221.03</u>
<u>Part Town</u>	<u>\$393.00</u>
<u>Highway</u>	<u>\$23,691.95</u>
<u>Fire Districts</u>	<u>\$113,684.00</u>
<u>Light Districts</u>	<u>\$0.00</u>
<u>Sewer Operating Dist.</u>	<u>\$266,264.00</u>
<u>Water Operating Dist.</u>	<u>\$29,216.38</u>

- **PERSONNEL**
Councilperson Gardner noted the addition of the new Court Clerk, new Deputy Town Clerk and Highway Department Staff.
- **PLANNING**
The Planning Board 2022 Meeting Schedule has been posted on the Town of Dickinson website.
- **ZONING**
There is a Zoning Board Meeting scheduled for Tuesday, January 11th at 6 PM.

January 10, 2022– REGULAR MEETING

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **December 6, 2021 Work Session Meeting Minutes and the December 13, 2021 Regular Meeting Minutes**. All in favor.

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

ATTORNEY

RESOLUTION: ADOPTING THE 2022 ORGANIZATIONAL RESOLUTION

RESOLUTION 2022-1

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

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

RESOLUTION: ADOPTING THE 2022 ORGANIZATIONAL RESOLUTION

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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor. Copy on file.

RESOLUTION: ADOPTING A LOCAL LAW REGARDING PARKING ON ORCHARD ROAD

RESOLUTION 2022-2

The following Resolution was offered by Councilperson Exley, who moved its adoption, seconded by Councilperson Gardner 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 REGARDING PARKING ON ORCHARD ROAD.

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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor

January 10, 2022– REGULAR MEETING

RESOLUTION: SCHEDULING A PUBLIC HEARING REGARDING FENCE PERMITS

RESOLUTION 2022-3

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

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

RESOLUTION: SCHEDULING A PUBLIC HEARING REGARDING FENCE PERMITS FOR FEBRUARY 7, 2022 AT 5:30 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 –5, Nays – 0, Absent-0.

Supervisor Marinaccio voting Aye
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor

RESOLUTION: UNSAFE STRUCTURE AT 36 PULASKI STREET

RESOLUTION 2022-4

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

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

RESOLUTION: TO REAFFIRM DECLARATION OF UNSAFE STRUCTURE AT 36 PULASKI STREET.

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
Councilperson Gardner voting Aye
Councilperson Exley voting Aye
Councilperson Morabito voting Aye
Councilperson Burns voting Aye

All in favor

Mr. Brouard has been given one week from today to submit his plan. Supervisor Marinaccio noted that the property owner is two years in arrears in his property taxes.

January 10, 2022– REGULAR MEETING

PUBLIC WORKS

- Public Works Commissioner Kie reported that three more water leaks were repaired on Pine View. A cluster of valves were replaced. Mr. Kie asked the Supervisor if we could use the Grant money from the American Rescue Act to pay for this. Mr. Marinaccio responded in the affirmative.
- Mr. Kie reported that on Friday Matt and Kyle found a tarp wound around the motor in the sewer pit at the college.
- Mr. Kie reported that the magnetic doors are operational. Upon entry the key FOBS will unlock the doors and turn the alarm off. Keys can still be used.
- Mr. Kie brought up the subject of the \$10.00 minimum water usage fee and asked whether it is being applied to vacant properties. Mr. Kie would like to have a discussion about it with the board.
- Mr. Kie commented on ticket issuance. Tickets do not have a plea of guilty or not guilty and they get thrown out of court. They need to be revised
- The ordinance needs to be changed regarding parking on streets during weather events. When a winter storm warning is in effect parking should not be allowed on the streets. During the recent ice storm, people left cars on the street, and which made it difficult for the Highway Crew to clear the streets. The Ordinance needs to be updated to reflect snow and ice conditions when a warning is forecasted. The update should then be noted in the newsletter.
- Mr. Kie reported that Matt Fitzpatrick and the Water Department has a challenge ahead of them that has been issued by the EPA. The task is to identify all the houses that have lead pipes coming into them from the street. We have until 2025 to comply. There are approximately 1,200 customers.
- Public Works Commissioner Kie thanked the Highway Crew for their hard work during the ice storm.
- Mr. Kie reported that there was a coyote sighting in the neighborhood.
- Mr. Kie reported that he let Mr. Brouard into his house at 36 Pulaski Street to retrieve some personal belongings. Mr. Brouard is actively trying to hire an engineer.

PUBLIC COMMENTS

None being heard.

The meeting was adjourned on motion of Councilperson Morabito and seconded by Councilperson Burns at 7:04 PM.

Respectfully submitted,

Susan M. Cerretani, RMC
Town Clerk