

## May 9, 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, May 9, 2022 at the Town Hall, 531 Old Front Street, Binghamton, New York and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/89643958912?pwd=TTY2eU93UFV3KzRmWnVtWlkrOUZmQT09>

Meeting ID: 896 4395 8912

Passcode: 704967

1-646-876-9923

The members of the Town Board present were:

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

Also in attendance:

**Nathan D. VanWhy, Esq., Town Attorney**  
**Susan M. Cerretani, Town Clerk**  
**Public Works Commissioner Joel Kie, Town Engineer Ron Lake, and one member of the general public.**

### CHAIR

### SUPERVISOR'S REPORT

1. We received our check from for \$46,615.42 for the finalization of the **NY State Community Grant**.
2. I discussed the major issues that we are having with residents assigned to both the **Red Roof Inn** and the **EconoLodge** with County Executive Garnar. He wants to have a meeting with town representatives, himself and **DSS** Director in the near future.
3. We successfully took the next reporting step for the **American Stimulus Grant** with the assistance from Theresa who also assisted us in getting the initial process started. To date we have not spent any of the funds but expect to do so in the near future.
4. Many thanks to our public works staff and the **Prospect Terrace Fire Company** for their great work during the recent storm that took our power to most of our residents as well as hundreds of trees that caused most of the power outages. I toured the town with Joel as was very impressed in how quickly our roads were cleared of snow and fallen trees.
5. I reviewed the Town credit card charges and found no issues.
6. Four homes in our town were on the county foreclosure list: 22 N. Louisa, 36 Pulaski, 18 Pleasant ct., and 26 Pulaski.

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**SUPERVISOR’S REPORT CONTINUED:**

**Code Violations/Appearance Tickets**

1. 156 Bigelow, large amounts of garbage, garage structural issues, front steps need to be replaced, water has been turned off due to sewer blockage.
2. 20 Rosedale Drive, no permit issued for building steps.
3. Stop Work Order issued to 20 Rosedale Drive
4. 80 Sunset Drive building materials stored near fire hydrant
5. 24 Adams Street garbage on side of garage, mattress not disposed of
6. 561 Front Street, issues with the stairs

**Building Permits**

1. 5 Pleasant Ct., front steps replacement
2. 205 John St., roof replacement
3. 930 Upper Front St., shed
4. 930 Upper Front St., gazebo
5. 20 Rosedale Dr., erect 30 sq. ft. stairs
6. 904 Upper Front St., Starbucks, small building
7. 551 Front St., siding
8. 550-552 Old Front St., renewal for the Foland Lumber extension
9. 101 Iris Dr., new porch
10. 42 Sunrise Dr., shed

**Dog Control Reports**

TOWN: eight calls total for April. Stray dogs, past due licensing, resident concerned about five dogs in the neighborhood. All complaints were investigated

VILLAGE: two calls total for April. Stray Pitbull, this was at least five times that the owner has been investigated, five tickets issued.

**NYSEG UTILITY SHUTOFF NOTICES:**

No notices received.

**NEXT TOWN BOARD MEETING**

Our next Town Board meeting is scheduled for Monday June 6, 5:30 PM, Work Session Meeting. There are some changes by the state in having board members and other town officials participating in Town Board and other board meetings. Any questions on this, please contact me or Nate (town attorney).

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On the request of the Supervisor, Attorney VanWhy followed up by informing the board that the State included in the recently passed budget, authority for municipal entities to continue remote video conferencing so long as certain criteria are met. At least a quorum of the members must be physically accessible to the public and they all have to be at that location.

The Town Board must adopt a local law authorizing the use of videoconferencing for its meetings. The local law may provide authority to all the boards - Town Board, Planning Board, Zoning etc., or it may specify that each committee can make its own determination.

We have to adopt a policy and procedure for how it actually works. The town needs to have a discussion to qualify what are considered “extraordinary circumstances.”

The only people that need to be in a physically accessible location are the board members; all others such as Town Clerk, Town Attorney and Public Works Commissioner can attend remotely.

Supervisor Marinaccio reported on some items from the New York State budget:

- **AIM** funding is flat but we are still getting it. There has been no increase in **CHPS (Consolidated Local Street and Highway Program)** funding – one hundred million dollars has been allocated for paving potholes.
- Towns can apply for funding for Broadband.
- Board members can participate in meetings via videoconferencing.
- Accessibility
- Recordings of meetings must be kept for five years.

**PUBLIC COMMENTS**

None being heard.

**COMMITTEE REPORTS**

- **PUBLIC WORKS**
  - Councilperson Exley reported that she and Councilperson Burns met with Public Works Commissioner Kie to discuss how he is going to spend the American Rescue Funds. She stated that we are taking out the correlator and the meter reader because Joel has already budgeted for those items in the regular budget.

Funds will be used for (with board approval):

- Pressure reducing valve on Glenwood Rd
- Pineview water main replacement
- Extend the water main connection from Glenwood to Sunset so it is a loop
- New control panel for Sunrise Terrace sewer station
- Gutter system for Town Hall
- Snow retention system for Town Hall
- Ice melt cable for Town Hall

**For a total of \$352,610.00**

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Supervisor Marinaccio commented that these are all infrastructure projects and building safety improvements and he has no issues with the plan. He will make sure the board is all in agreement as to what the American Rescue Funds are used for. We spent five to seven thousand dollars for **COVID** related items.

• **FINANCE**

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **April 2022 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,261.46** seconded by Councilperson Exley. All in favor.

○ **SUPERVISOR’S FINANCIAL REPORT**

Councilperson Gardner made a motion to accept the **March 2022 Monthly Financial Report** for the **Town Supervisor** in the amount of **\$1,813,595.93** On a motion by Councilperson Gardner seconded by Councilperson Morabito. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **abstract #05** dated **May 9, 2022** in the amount of **\$144,343.34**.

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 \$144,343.34.**

**Voucher #05 for May 9, 2022 in the amount of \$144,343.34.**

<b><u>General Fund</u></b>	<b><u>\$32,617.23</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$10,480.64</u></b>
<b><u>Fire Districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$3,396.21</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$8,743.94</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$89,105.32</u></b>

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- **PLANNING**

Councilperson Morabito reported for the Planning Board as he attended the last meeting. The discussion was on the revised plan on the Starbuck’s site. They agreed on the changes. It is not a perfect scenario, but with the changes it will be better than it is currently. The Planning Board motioned to approve project with the updated changes. Supervisor Marinaccio stated that Chairman Ford is extremely thorough. Councilman Morabito agreed and stated that everyone contributed, and the Starbuck’s representatives were listening, and they want to do the right thing.

**ZONING**

Nothing to report

**NYPIRG (New York Public Interest Group)**

**NYPIRG** has notified the Town Clerk that they will be going door to door in our neighborhood.

Supervisor Marinaccio commented that there were people that were living at the hotel and were walking around the neighborhood “looking for work.” They knocked on the Supervisor’s door and he advised them that they cannot do this. We also had people in the Sunrise Terrace dugout with bags and bags of their belongings, The Sheriff’s Department was notified and responded. They then vacated the ballfield with their belongings.

**APPROVAL OF MINUTES**

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the April 4, 2022 Work Session Minutes, the April 11, 2022 Regular Meeting Minutes, and the April 22, 2022 Special Meeting Minutes. Corrections were made. All in favor Vote-5 Ayes, 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.

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ATTORNEY

RESOLUTION 2022-18

The following Resolution was offered by Councilperson Gardner, 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: INCREASE THE SEWER RENT TO \$8.00 PER CUBIC FEET ABOVE 101 CUBIC FEET OF ESTIMATED OR ACTUAL METERED WATER CONSUMPTION, EFFECTIVE JUNE 16, 2022. SCHEDULING A PUBLIC HEARING FOR MONDAY, MAY 2, 2022 AT 5:30 PM REGARDING PROPOSED SEWER RATE INCREASE.**

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 2022-19

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: AUTHORIZING PUBLIC WORKS COMMISSIONER JOEL KIE TO HIRE TWO NEW EMPLOYEES WITH A START DATE OF 5/16/2022:**

- a. Brad Toraz, Public Works Employee, \$18/hr., 12 weeks probation.**
- b. Robert Aylward, Public Works Employee, \$18/hr., 12 weeks**

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

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**RESOLUTION 2022-20**

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

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

**RESOLUTION: AUTHORIZING PUBLIC WORKS COMMISSIONER KIE TO PURCHASE A WATER MAIN EXTENSION FOR GLENWOOD RD. NOT TO EXCEED THE COST OF \$92,000.**

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

**PUBLIC WORKS**

- Public Works Commissioner Kie reported that the Pineview Drive project is going fast and should be done on Thursday.

Public Works Commissioner Kie asked the board for authorization as he would like to connect upper Sunset Drive to lower and loop the system at the same time, we do the altitude valve. It would be a self-help project.

**RESOLUTION 2022-20**

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

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

**RESOLUTION: AUTHORIZING PUBLIC WORKS COMMISSIONER KIE TO PURCHASE A WATER MAIN EXTENSION FOR GLENWOOD RD., NOT TO EXCEED THE COST OF \$92,000.**

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

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- Public Works Commissioner Kie reported that the Highway Department is still picking up debris from the recent storm. People have not gotten to cleaning up the debris on their properties yet.
- The Public Works crew continues to clean up the damage in the cemetery from the storm.
- Municipal Cleanup Day will be held on Saturday, May 21<sup>st</sup> from 8 am to 3 pm at the Town garage.

Councilman Morabito asked if any of the money we are allocating is from the American Rescue Plan. Are we going to be getting anything from the 1.2 trillion-dollar infrastructure plan that was passed by the Federal government? Resident Jim Love replied that the money is going to the individual states and if those individual states choose to reallocate it to smaller entities within their state, they are free to do that.

Town Engineer Lake reported that the Joint Sewage Treatment Plant repairs are underway. The electrical components are taking a long time to get. By July first, some of it will be back in service.

**PERSONNEL**

Supervisor Marinaccio notified the board that the person that the board approved to hire for Bev Wike’s position declined the offer.

**ASSESSOR**

Grievance Day is May 25, 2022 from 4-8pm.

**PUBLIC COMMENTS**

The meeting was adjourned on a motion by Councilperson Morabito and seconded by Councilperson Burns at 6:43 PM.

Respectfully submitted,

Susan M. Cerretani, RMC  
Town Clerk