

April 8, 2024 – 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, April 8, 2024 at the Town Hall, 531 Old Front Street, Binghamton, New York

The members of the Town Board present were:

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

Also in attendance:

**Keegan Coughlin, Esq., Town Attorney
Wendi Evans, Town Clerk
Public Works Commissioner Joel Kie, Code Enforcement Kyle Doyle and
2 guests.**

CHAIR

SUPERVISOR’S REPORT

**April 2024 Town Board Meeting
Supervisor’s Report**

1. I reviewed the credit card monthly charges and found no issues.
2. Reminder: The New York State No Open Burning law goes into effect starting on March 16 through May 14. This could be extended pending weather conditions.
3. I had a lengthy discussion with Rebecca Stone, Superintendent of BOCES. We touched on many topics as a way to introduce ourselves to each other. She did mention that BOCES is planning an extension on campus and is in the process of purchasing a home adjacent to the property. She stated that they will be reaching out to the residents in that area to discuss their plans in the near future.
4. I had a discussion with BC Parks Commissioner regarding concessions and food trucks. She sent me a copy of permit application that they use for Food Trucks, this applies to GSP (ball fields) but also any park that we get a request for (this is fairly uncommon). I shared this information with Kyle and Joel
5. We received a check for \$500 from NYS Municipal Alliance (Insurance) for loyalty award.
6. On April 23, 6 PM, there will be A Tribute of Hope held at Cheri A. Linsay Park located at 1 Truesdell St. in Binghamton. April 21 through 27 is National Crime Victims Rights Week.

7. Code Enforcement Monthly Report

Violations	
Property	Type
409 Glenwood Rd	Vehicle over 10,000GVW/ Trash & Debris
29 Pulaski St	Trash & Debris
63 Adams St	Electrical Violation
400 Prospect St	Fire Inspection Violations
112 Iris Dr	Trash & Debris
17 Market St	Violation of Basement Apartment
60 Sowden St	Trash & Debris
68 Sowden St	Trash & Debris
195 Lower Stella Ireland Rd	Structural Issues
Permits Issued	
Property	Type
13 Rosedale Dr	Roof
14 Stearns Rd	Addition
24 N Ely St	Siding / Roof
151 Glenwood Rd	Roof
557 Old Front St	Addition to Garage
20 N Ely St	Porch
Appearance Tickets	
Property	Type
None	
Fire Inspections	
Property	Location
400 Prospect St	MicroTel

**Dog Control Officer Reports: Village & Town:
Report not available.**

**NYSEG Utility Shutoff Notices:
No notices received.**

Next Town Board Meetings

Work Session, Monday, May 6, 5:30 PM

Regular Board meeting, May 13, 6:00 PM

PUBLIC COMMENTS

A resident questioned why the zoning was changed on Fuller St. without the residents knowing as the land was approved for 2 – Single family homes. He claimed the construction has caused a stream of water off the hill and its overflowing. Supervisor Marinaccio explained that the zoning was not changed and that it has always been that way. Commissioner Kie commented that the stream has always been flowing that way but now that the trees have been cut down it is more visible to residents. He has been monitoring it. The town would never change the zoning without a public hearing. Their concern is if more houses get put in there it will make it worse. Supervisor Marinaccio explained there is nothing more we can do about them building on the lots.

COMMITTEE REPORTS

- **HIGHWAY**
 - Councilperson Morabito explained that 2 workers have completed their classes for their CDL and will be getting tested on 4/9/2024. There will be one more worker scheduled to take the class in May.
 - We also received the receipt of the John Deere 2023 tractor.
 - Brush pick-up has begun and is going very well.
 - Have begun sweeping the streets with our new sweeper.

- **WATER/SEWER**
 - Councilperson Exley explained that the new water bill software has not yet been installed.
 - The bills for this quarter have been sent out.
 - There were 4 rental homes where the water needs to be shut off due to lack of payment. Legal procedures must be followed so at this point they have not been shut off. Johnson City has a very thorough process so we are going to review their process and see if we can implement that in our town. A draft will be written for the board to review.

- **FINANCE**
 - **TOWN CLERK MONTHLY FINANCIAL REPORT**
Councilperson Gardner made a motion to accept the **March 2024 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1250.66** seconded by Councilperson Morabito. All in favor.

○ **ABSTRACTS FOR APPROVAL**

On Motion from Councilperson Gardner, seconded by Councilperson Burns to approve **Abstract #04** dated **April 8, 2024** in the amount of **\$78,249.97**.

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 \$78,249.97.

Voucher #04 for April 8, 2024 year in the amount of \$78,249.97.

General Fund	\$34,437.68
Part Town	\$70.00
Highway	\$14,179.57
Fire Districts	\$0.00
Light Districts	\$4,281.53
Sewer Operating Dist.	\$1,597.21
Water Operating Dist.	\$23,683.98

● **PERSONNEL**

Nothing to report

● **PLANNING**

We have received the 239 review back for the Solar Farm on the upper part of Glenwood Rd. The original Solar Farm near the cemetery we will be getting the permits soon as we were waiting on them consolidating the 2 parcels down to one.

● **ZONING**

Having a variance meeting the beginning of May for 3 LED lit signs for the Green Light/Grand Slam Park.

APPROVAL OF MINUTES

On a motion by Councilperson Exley seconded by Councilperson Gardner to approve the **March 4, 2024 Work Session Minutes, March 11, 2024 Regular Meeting Minutes, March 8, Special Meeting Minutes and March 18th Special Meeting Minutes.**

All in favor.

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

ATTORNEY

RESOLUTION 2024-10

The following Resolution was offered by Councilperson Morabito, 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 Local Law #3-2024 entitled A LOCAL LAW ADDING A NEW CHAPTER 295 TO THE TOWN CODE ENTITLED “FIRE PROTECTION SYSTEMS”

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 in the Town Clerk’s office.

Town of Dickinson

Resolution No. 10

**Resolution Adopting Local Law #3-2024 entitled
A LOCAL LAW ADDING A NEW CHAPTER 295 TO THE
TOWN CODE ENTITLED “FIRE PROTECTION SYSTEMS”**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 8th day of April, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for April 1, 2024 at 5:30 p.m. for Local Law No. 3 of 2024 entitled “A LOCAL LAW ADDING A NEW CHAPTER 295 TO THE TOWN CODE ENTITLED ‘FIRE PROTECTION SYSTEMS’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 1st day of April, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

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WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 3 of 2024 entitled “A LOCAL LAW ADDING A NEW CHAPTER 295 TO THE TOWN CODE ENTITLED ‘FIRE PROTECTION SYSTEMS’”; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held at Town Hall, 531 Old Front Street, Binghamton, New York on this 8th day of April, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Aye

Town of Dickinson Seal

Dated: April 8, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

RESOLUTION 2024-11

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: Adopting Local Law #4-2024 entitled A LOCAL LAW AMENDING CHAPTER 509 TRANSIENT RETAIL BUSINESSES

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 in the Town Clerk’s office.

Town of Dickinson

Resolution No. 11

**Resolution Adopting Local Law #4-2024 entitled
A LOCAL LAW AMENDING CHAPTER 509 TRANSIENT RETAIL
BUSINESSES**

At a meeting of the Town Board of the Town of Dickinson held at Town Hall, 531 Old Front Street, Binghamton, New York on the 8th day of April, 2024, the following resolution was offered and seconded:

WHEREAS, the Town of Dickinson scheduled a public hearing for April 1, 2024 at 5:30 p.m. for Local Law No. 4 of 2024 entitled “A LOCAL LAW AMENDING CHAPTER 509 TRANSIENT RETAIL BUSINESSES”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 1st day of April, 2024 at 5:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

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WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby adopts said local law as Local Law No. 4 of 2024 entitled “A LOCAL LAW AMENDING CHAPTER 509 TRANSIENT RETAIL BUSINESSES”; a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this resolution will take effect upon filing with the Department of State.

CERTIFICATION

I, Wendi Evans, do hereby certify that I am the Town Clerk of the Town of Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Dickinson at a meeting thereof held at Town Hall, 531 Old Front Street, Binghamton, New York on this 8th day of April, 2024. Said resolution was adopted by the following roll call vote:

Supervisor Michael Marinaccio Aye
Councilperson Sharon M. Exley Aye
Councilperson Thomas J. Burns Aye
Councilperson Danny F. Morabito Aye
Councilperson Steve M. Gardner Aye

Town of Dickinson Seal

Dated: April 8, 2024

Wendi Evans
Town Clerk of the Town of Dickinson

DEPARTMENT REPORTS:

• **HIGHWAY DEPARTMENT ADMINISTRATIVE**

- Commissioner Kie explained that the county got approval by NYSERDA to buy a little John Deere electric UTV. With the board’s approval the town has to purchase it then they will reimburse us. The cost is \$17,900.00 and we will get back \$14,857.00.

On a motion by Councilperson Morabito seconded by Councilperson Burns to AUTHORIZE THE PURCHASE OF A JOHN DEERE ELECTRIC UTV FOR \$17,900.00 WITH A REIMBURSEMENT OF \$14,857.00. All in favor. Vote-Ayes-5, Nays-0, Absent-0.

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

All in favor.

- Commissioner Kie would like to request that the county change the speed limit on Glenwood Rd. The process is lengthy but first he would like to send a letter to the residents to make sure they are in agreement with it. The proposal would be for Prospect to Legacy Bay change it from 45 mph to 40 mph. From Legacy Bay to Lewis/Smith Hill intersection it would be reduced to 30 mph. He has reached out to Chenango, and they are in agreement with it. There are school buses and many resident homes in that area.

• **CODE**

- Code Enforcer Doyle will be attending an energy/code class on April 17th and April 24th in Norwich which will give us \$10,000 with NYSERDA.
- The Fire Department will be having recruitment day Saturday April 13th 9:00-12:00 to recruit some new members. They are also reaching out to schools as well.

The meeting was adjourned on a motion by Councilperson Morabito and seconded by Councilperson Gardner at 6:44 PM.

Respectfully submitted,

Wendi Evans
Town Clerk