

**December 14, 2020 – 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, December 14, 2020 via Zoom teleconference due to the COVID-19 pandemic.**

Join Zoom Meeting

<https://us02web.zoom.us/j/81608068022?pwd=S0pjNEpqYjIxdTIERzOwN0k0emVydz09>

Meeting ID: 816 0806 8022

Passcode: 246120

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**The members of the Town Board present were:**

**Michael A. Marinaccio, Supervisor**

**Stephen M. Gardner, Councilman**

**Sharon M. Exley, Councilwoman**

**Danny F. Morabito, Councilman**

**Thomas J. Burns, Councilman**

**Also in attendance:**

**Angelo D. Catalano, Esq., Town Attorney**

**Nathan D. VanWhy, Esq.**

**Susan M. Cerretani, Town Clerk**

**Code Enforcement Officer Rafferty, Public Works Commissioner**

**Kie, Zoning Board Chair Compton, Planning Board Chair Ford,**

**Honorable Justice Groover, Administrative Assistant Wike**

**A moment of silence was observed for David Rieger former Dog Control Officer for the Town of Dickinson and member of the Prospect Terrace Fire Company.**

**CHAIR**

**SUPERVISOR'S REPORT**

**December 2020 Supervisor's Report**

This meeting is also being held remotely via ZOOM virtual meeting software. The public has the ability to view or listen to this meeting live via the ZOOM app, web browser and/or by telephone. This meeting is being recorded and will be transcribed at a later date.

Also, at this time, anyone who is not an officer of the town, will be muted until I ask for comments from the public. Please state your name when you are called upon and recognized by me. Please avoid any background noise while you are speaking.

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### SUPERVISOR'S REPORT CONTINUED:

1. Please take notice that we continue to maintain strict measures in place relating to anyone visiting the Town Hall to conduct business. That includes all town staff and elected and appointed officials. We now have a RING System installed at both entrance doors to the building. You will be asked what sort of business that you need to conduct. You must wear a face mask, or you will not be allowed to enter the town hall, you must use hand sanitizer on your hands which will be provided at both entrances and at the Town Clerk's counter and the Old Front Street entrance. You must sign in prior to conducting any town business. Additional procedures are listed on our town website. The Town State of Emergency, which I recently renewed, remains in place until further notice. Our town continues to operate under a State of Emergency due to the epidemic.
2. I participated in a **ZOOM** meeting that was held by **Helio Health** and Broome County. Helio Health, located at the Broome Developmental Center in our town, announced a \$13 million dollar improvement expansion to their program, which will include 50 additional beds, more services to be provided to their clients, additional: staffing, program improvements, additional leisure programs, road and parking improvement. This will be a 2-year process.
3. I reviewed the town credit card charges and found no issues.
4. New York State reported that there was a \$452 million dollar shortfall for the 3rd quarter of sales tax revenue.
5. Statement from the New York Association of Towns: the NYS Division of Budget is open to the idea of working with justice court fines to increase revenue for towns and the state.
6. I will be announcing some minor changes in chairman assignments by our next meeting. I will email the assignments to the board members and to our Town Clerk. If there are any questions, as always, contact me.
7. We were notified by our insurance carrier, Comp Alliance, that our town qualified for the Comp Alliance Safe Workplace Award for our performance during policy year 2019. This is a monetary award for positive loss experience during a given year. The award amount is \$3,325.
8. Letters are being mailed out to members of the NY Association of Towns regarding the 2021 Annual Meeting & Training School. The dates are Feb. 14 to the 17<sup>th</sup>. Training and meetings will be held virtually. There will be a cost to participate. I will update the board as I get more information on cost.

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**SUPERVISOR’S REPORT CONTINUED:**

9. **Town of Chenango** has submitted a 239 for an Electrical vehicle Charging Station to be implemented on their property.
10. I requested and have received 2 touchless temperature thermometers from Broome County. Joel Kie will use one in his department and the other will be stored at the town hall. At this time, the court will not be using one, but this may change as we move forward with court appearances. We are not taking temperatures of those people coming to our town hall through the Town Clerk office entrance area but that can change as we progress through the **COVID-19** epidemic.
11. We received our annual **AIM (Aid & Incentives for Municipalities)** check for \$34,578.
12. The **Annual AOT Training School** will be held virtually from February 14 through the 17<sup>th</sup>. Cost is \$100 per person for member towns. I have registered for the school and will be voting in the annual business meeting that will take place on the 17<sup>th</sup>. Councilman Danny Morabito is designated as the alternate in the event I am unable to attend the business meeting. I will discuss this further with Danny as we get closer to the date.
13. The Town of Dickinson computer data and operations is now covered by insurance. There has been an increase in data hacking throughout the country and the world and we wanted to make sure that we have protection.
14. As a reminder, **Broome County Real Property** will no longer offer off-site collection for property tax payments in any of the towns.

Off-site tax collection offices will be centralized at the **Oakdale Mall**, former **Sears** building and the **Broome County Office, Edwin L. Crawford Building**. Both locations will have a drop-box available for payments as well. The former **Sears** location will be open Monday through Friday from 9am to 3:45pm for collection of current taxes only, for the entire month of January and the last days of the month in February and March for property tax payments, for the towns that **Broome County Real Property** collects taxes for.

The **Broome County Office** location will continue to collect both current and delinquent taxes year-round Monday through Friday from 8am to 3:45pm.

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**SUPERVISOR’S REPORT CONTINUED:**

**Code Violations**

For the record, I am very disappointed with those property owners who bypass the Building Permit process or who purposely under value their building project. These actions cause an unnecessary burden on our code staff, assessor, attorney, and our court. Those who do not follow the building code rules can create severe safety hazards and added costs for themselves. Codes are in place to protect homeowners, property values, and other factors that are involved in the building industry. A simple phone call to the Code Enforcement Department could answer any questions you may have regarding building codes and permits.

1. A notice was sent to the owner of 557 Old Front St. due to renting out the former dentist office that adjoins the property as a residential unit. There are several steps that must be taken to make this use of the unit legal. Update: The property has been sold.
2. 9 Broad St., couch at curb for multiple weeks, furniture and debris on side deck
3. 36 Pulaski, garbage on front porch, windows open on second story allowing pigeons to enter the building.
4. 47 Adams St., large amount of trash on front porch
5. 26 Adams St., mattress at curb, not picked up by trash service
6. 39 Pulaski, large amount of junk around property, driveway, back yard, including appliances, wood, metal
7. 33 Pulaski, various construction debris in the side yard
8. Appearance ticket issued to 16 Twining Rd., junk vehicles, sanitation, tall weeds and grass

**Dog Control Officer Report for November**

I received the **Dog Control Officer Inspections reports from Agriculture & Markets Inspector** for both the town and the village and every category was marked satisfactory.

**DCO Monthly report not received in time for this report.**

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**SUPERVISOR’S REPORT CONTINUED:**

**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 January 4, 2021 most likely via **Zoom**.

**PUBLIC COMMENTS**

No comments.

**COMMITTEE REPORTS**

• **FINANCE**

○ **TOWN CLERK MONTHLY FINANCIAL REPORT**

Councilman Morabito made a motion to accept the **November 2020 Monthly Financial Report** for the **Town Clerk** in the amount of **\$1,624.00** seconded by Councilman Gardner. All in favor.

○ **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **October 2020 Supervisor monthly report** seconded by Councilwoman Exley. All in favor.

○ **SUPERVISOR MONTHLY REPORT**

Councilman Morabito made a motion to accept the **November 2020 Supervisor monthly report** seconded by Councilman Gardner. All in favor.

• **ABSTRACTS FOR APPROVAL**

On Motion from Councilman Morabito, seconded by Councilman Gardner to approve **abstract # 12**, dated **December 14, 2020** in the amount of **\$80,365.31**.

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

Supervisor Marinaccio voting Aye

Councilman Gardner voting Aye

Councilwoman Exley voting Aye

Councilman Morabito voting Aye

Councilman Burns voting Aye

Unanimously passed and noted as duly adopted.

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**Abstract Summary of Audited Vouchers for Funds respectively in the amount(s) of \$80,365.31.**

**Voucher #12 for December 14, 2020 in the amount of \$80,365.31:**

<b><u>General Fund</u></b>	<b><u>\$49,643.97</u></b>
<b><u>Part Town</u></b>	<b><u>\$0.00</u></b>
<b><u>Highway</u></b>	<b><u>\$16,862.99</u></b>
<b><u>Fire districts</u></b>	<b><u>\$0.00</u></b>
<b><u>Light Districts</u></b>	<b><u>\$3,723.28</u></b>
<b><u>Sewer Operating Dist.</u></b>	<b><u>\$329.70</u></b>
<b><u>Water Operating Dist.</u></b>	<b><u>\$9,805.37</u></b>

• **PERSONNEL**

- Nothing to report

**ZONING BOARD**

- Nothing to report

• **PLANNING BOARD**

- Chairman Ford asked Code Officer Rafferty if he had any information regarding the proposed use of the old St Ann’s school building that would require a planning board meeting this month. Mr. Rafferty replied that he has received nothing formally yet and would like to have the Planning Board, Zoning Board and the Town Board involved and wait for a specific proposal and then write a letter detailing what approvals are necessary.

**APPROVAL OF MINUTES**

On a motion by Councilman Burns seconded by Councilwoman Exley to approve the **Work Session Minutes of November 2, 2020** and the **Regular Meeting Minutes of November 9, 2020**. All in favor.

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

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

All in favor.

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**ATTORNEY**

Attorney Catalano announced that he has been promoted to partner with Coughlin and Gerhart Law firm and he will be handing over his role as Attorney for the Town to Attorney Nathan VanWhy. Angelo stated that it has been an honor and a privilege to work with everyone at the Town of Dickinson and that he will be checking in from time to time.

**RESOLUTION APPROVING CHENANGO WATER SUPPLY CONTRACT  
RESOLUTION 2020-24**

The following Resolution was offered by Councilman Morabito, 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: APPROVING THE RENEWAL OF THE TOWN OF  
CHENANGO WATER SUPPLY CONTRACT FOR 2021.**

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  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Aye

All in favor.

**RESOLUTION SPECTRUM CONTRACT  
RESOLUTION 2020-25**

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilwoman Exley to wit:

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

**RESOLUTION: SCHEDULE A PUBLIC HEARING FOR SPECTRUM  
FRANCHISE RENEWAL CONTRACT FOR MONDAY, JANUARY 4,  
2021 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  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Aye

All in favor

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**80 SUNSET DRIVE EASEMENT AMENDMENT**

Attorney Van Why stated that an easement agreement amendment has been worked out regarding a property on Sunset Drive. Attorney VanWhy explained that there is an existing sewer line easement on this property and the property owner is in the process of constructing a garage over this sewer line.

Mr. VanWhy stated that he worked with Mr. Kie, Supervisor Marinaccio, the property owner and the property owner’s attorney to come to a fair solution to allow the structure to remain. The property owner acknowledges that the garage was placed incorrectly and also acknowledges if the Town needs get in there and access the line, the Town can effectively remove the building at no cost or expense to the Town. If a line break occurred, there is an existing ability for the Town to bypass that portion of the sewer line. Easement would be for so long as the structure exists. The easement amendment would be added as part of the chain of title.

Public Works Commissioner Kie voiced concerns over the options for the future in the event of something happening to the sewer line. He and Dan Miller are exploring costs of re-locating and/or re-lining the sewer to be approximately \$35,000. The line was installed in 1974 and is aging. At some future point in time it will have to be repaired or replaced. It might be more sensible to replace vs move the line as the cost difference is not significant.

**RESOLUTION 2020-26**

The following Resolution was offered by Councilman Morabito, 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: APPROVING AN EASEMENT AMENDMENT FOR 80 SUNSET DRIVE PROPERTY**

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
- Councilman Gardner voting Aye
- Councilwoman Exley voting Aye
- Councilman Morabito voting Aye
- Councilman Burns voting Aye

All in favor.

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**RESOLUTION 2020-27**

The following Resolution was offered by Councilman Gardner, who moved its adoption, seconded by Councilwoman Exley to wit:

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

**RESOLUTION: APPROVING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF PORT DICKINSON AND THE TOWN OF DICKINSON CODE ENFORCEMENT DEPARTMENT.**

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  
Councilman Gardner voting Aye  
Councilwoman Exley voting Aye  
Councilman Morabito voting Aye  
Councilman Burns voting Aye

All in favor.

Town Justice Groover informed the Town Board that Dickinson Court had a meeting with the **6th Judicial District** which covers 174 Town and Village courts. The Town of Dickinson was recognized as the ideal for doing the meetings virtually and handling the public coming to the court. Judge Groover gave Court Clerk Kendra Iannon all the credit for doing a remarkable job and for being a shining example for all the other courts.

Councilman Gardner attended a presentation sponsored by **Comp Alliance** regarding pandemic safety. Mr. Gardner stated that we may have to put a plan back in force in winter if the virus gets bad again. We need to create a report by April 1, 2021.

**PUBLIC WORKS – WATER & HIGHWAY DEPARTMENT**

- An electrical box panel located on Linda Drive which turns the sewer pumps on and off has been malfunctioning. Mr. Kie asked the Board for approval to replace the electrical panel at a cost of approximately \$10-\$15 thousand dollars using **CMOM** money.

On a motion by Councilman Morabito and seconded by Councilman Burns to approve the replacement of the electrical box panel located on Linda Drive. All in favor

- Mr. Kie asked the Board for approval to trade in the mini excavator and upgrade to a bigger size at a cost of approximately \$24,744.00. He stated that he has money left in the budget.

On a motion by Councilman Gardner seconded by Councilwoman Exley to approve the trade in and purchase of a new excavator at a cost of \$24, 744.00. All in favor.

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The meeting was adjourned on a motion of Councilman Morabito and seconded by Councilman Burns at 6:53 PM.

Respectfully submitted,

Susan M. Cerretani  
Town Clerk