

**Village of Port Dickinson
Monthly Board Meeting
September 10, 2019
Port Dickinson Village Hall**

Officers Present:

**Mayor
Trustees**

**Kevin M. Burke
Robert Aagre
Michael Cashman
James DeGennaro
Charles Harding
Nathan VanWhy
Susan Fox
Sandra Reifler
John Broughton**

**Attorney
Clerk
Treasurer
Code Officer**

The regular monthly meeting was called to order at 6:00 pm by Mayor Kevin Burke

HEARING: In the Matter of A Proceeding to Remove an Unsafe Structure at 758 Chenango Street, Village of Port Dickinson, New York.

- A hearing was held at 6 pm as directed by the Village Board concerning the unsafe or dangerous condition of a structure at 758 Chenango Street.
- It is alleged that the referenced structure is unsafe or dangerous because of roof collapse, interior exposure to the elements, and unsanitary conditions attractive to vermin.
- The property owner, Robert Roby, failed to appear.
- The following documents were offered into evidence and accepted by the Village Board:
 - Exhibit 1: Village Board Resolution Dated July 23, 2019
 - Exhibit 2: Order and Notice of Hearing Dated July 23, 2019
 - Exhibit 3: Notice of Adjourned Date for Hearing Dated August 28, 2019
 - Exhibit 4: Affidavit of Service Dated August 6, 2019
 - Exhibit 5: Affidavit of Service Dated August 29, 2019
 - Exhibit 6: Engineering Report Dated May 10, 2019
 - Exhibit 7: State Environmental Quality Review Act, SEAF Part 1
 - Exhibit 8: State Environmental Quality Review Act, SEAF Part 2
- Mr. John Broughton, the Village Building Inspector and Code Enforcement Officer, presented information concerning his personal inspection of the property at various times in the prior year. Mr. Broughton testified that no one has applied for a building permit to address the issues identified within the Engineering Report, and that based on his personal observations, the property conditions are unchanged from the time of the report.
- The Village Board reviewed the SEAF Part 1 prepared by the Village, and reviewed, considered and answered “no or small impact” in response to all questions posed in the SEAF Part 2.

Motion by Trustee Harding, seconded by Trustee DeGennaro, to adopt the following resolution:

WHEREAS, the Building Inspector has, after reviewing an inspection and report from Hulbert Engineering and Land Surveying, DPC (a copy of which is included with this resolution), deemed the building located at 758 Chenango Street, Binghamton, New York 13901, Tax Map #128.68-1-26, to be unsafe or dangerous to the public, pursuant to §58-4 of the Village Code of the Village of Port Dickinson; and

WHEREAS, on August 13, 2019, the Village Board of Trustees originally scheduled a hearing in regard to the structure identified at 758 Chenango Street; and

WHEREAS, neither the property owner nor anyone on his or her behalf appeared on August 13, 2019, and the Village Board directed that the hearing be re-scheduled and adjourned to September 10, 2019, and that the property owner be served a notice of said re-scheduled and adjourned hearing; and

WHEREAS, notices for the August 13, 2019 hearing and September 10, 2019 adjourned hearing were served in accordance with the Village Code; and

WHEREAS, after hearing all parties in interest who appeared, after due deliberation, the Village Board finds that the (1) roof of such structure has collapsed in several locations, (2) the interior is exposed to snow, rain and other weather, and (3) unsanitary conditions conducive to attracting vermin are present at such structure.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQR"), it has been determined by the Village Board that the removal of the identified unsafe structure at 758 Chenango Street constitutes an Unlisted Action, as defined under the SEQR regulations. Said removal will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to this action.

BE IT FURTHER RESOLVED that the Village Board of the Village of Port Dickinson hereby determines that the structure at 758 Chenango Street is unsafe or dangerous to the public and orders it to be removed within sixty days of the date of service of this resolution upon the property owner, and if, upon the passing of said sixty days, the property owner has neglected or refused to repair or remove the same within the time provided, the Village Board hereby determines that it may remove said building by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village in connection with the proceeding to remove or secure, including the cost of actually removing said building, against the land on which said building is located; and

BE IT FURTHER RESOLVED that a copy of the notice calling for the hearing and a copy of this resolution be filed with the Broome County Clerk's Office; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

APPROVAL OF MINUTES:

Motion by Trustee Harding, seconded by Trustee Aagre, for approval of the minutes of the August 13 & 27, 2019 meetings,

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

PUBLIC COMMENT:

- Tonyia Baldwin, David Robertson, Carol Johnson, Trina Schmits – requested Board consideration of issues relating to: dog control not being enforced, parking on Grant Street, 789 Chenango St (back porch in disrepair, long grass), 9 Lincoln St (gas cans in front yard, garbage/debris in back yard, unsupervised children, loud domestic disputes), 7 Lincoln (code violations). Code Officer Broughton responded to Code related concerns. Trustee DeGennaro and Trustee Cashman have been discussing parking issues with the Police Chief. Residents were requested to contact Village Hall at the time issues arise so that they can be dealt with in a more timely manner.
- Tonyia Baldwin – requested information on the weight limit on the W. Service Rd and parking at 777 Chenango. Mayor Burke responded that there has been no change to the weight limit restriction on the W. Service Rd. The Planning & Zoning Boards will meet on 10/15/19 regarding a variance request for parking at 777 Chenango St.
- Dave Robertson – discussed the possibility of changing the Village Code for homeowners that have subsequent violations for the same matter. Village Attorney VanWhy & Code Officer Broughton discussed the lengthy process for citing someone for a violation and actually resolving the matter in Court. Questions regarding Alternate Street Parking were answered by the Mayor and Trustee Cashman. Complaint regarding motorcycle noise at 20 River St. Trustee Cashman will talk to Chief Pipher. The decibel meter has been received and Officers are training with the meter. Mr. Robertson stated that Summer St. has been skipped on leaf removal. He also stated that curbs are being destroyed with snow removal. Mayor Burke and Trustee Cashman responded that early snow must be pushed back to the curbs so that later snows do not start narrowing the street.
- Dave Robertson requested an additional street light on Summer St. Trustee Cashman will follow up.

TREASURER'S REPORT: On file with the Village Clerk

AUDIT AND PAYMENT OF CLAIMS: Abstract #6 (2019-2020)

Motion by Trustee Harding, seconded by Trustee DeGennaro, to pay claims as listed on the Abstract of Unaudited Vouchers for the General Fund for \$10,278.13

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

Motion by Trustee Aagre, seconded by Trustee Harding, to pay claims as listed on the Abstract of Unaudited Vouchers for the Sewer Fund for \$9,401.00

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

COMMUNICATIONS:

TRUSTEE-COMMISSIONER REPORTS:

Administration/Community Association:

written report on file with the Village Clerk

Parks/Public Works:

Yard waste collection is going well. DPW was commended for picking up 2 days after the holiday to make sure the Village was completed.

Planning Board:

Next Comprehensive Plan meeting will be 10/15/19 at 5:00PM

Public Safety:

Written reports attached

Water/Sewer – Robert Aagre, Trustee

- 1. The previous month has been a good one, with no water or sewer leaks, no street digs of any kind, and no complaints. All water samples sent for testing passed all tests.*
- 2. The annual on-site review of our water systems and procedures by the Broome County Health Department will take place shortly. The County is the ultimate agency assigned by New York State to monitor/supervise/approve drinking water standards and issues.*
- 3. Wednesday of this week, the 2 new more-powerful pumps will be installed at the Kirkwood Ave. Lift Station.*
- 4. DPW is going to make a concerted effort to install the new remote water meters on Dickinson Ave during the coming month. Residents are required to make an appointment by calling Village Hall to schedule a time convenient to them. With non-summer hours now in effect, appointments are available as early as 7am.*

Zoning:

RESOLUTIONS:

- 1. Motion by Trustee Harding, seconded by Trustee Cashman for a resolution agreeing to, and authorizing the Mayor to sign, the Broome County Fire Mutual Aid Plan**
AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE
- 2. Motion by Trustee Cashman, seconded by Trustee Harding, for a resolution scheduling a Public Hearing on 10/8/19 at 6:00PM for a proposed Local Law amending Chapter 60 of the Village Code.**
AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

OLD BUSINESS:

NEW BUSINESS:

- Mayor Burke discussed that Fire Departments have difficulty getting members. NYS only allows 45% of membership outside of the municipality.

Motion by Trustee Harding, seconded by Trustee DeGennaro, for a resolution requesting members of the NYS Legislature to sponsor special legislation to allow the Village of Port Dickinson to exceed the 45% non-resident membership requirement for the Fire Department as follows:

**VILLAGE OF PORT DICKINSON
HOME RULE RESOLUTION**

A resolution requesting that Senator Akshar and Assemblyman Crouch sponsor legislation to exempt the Village of Port Dickinson Fire Department and its Companies from the requirements of N.Y. Village Law § 10-1006(7), which limits non-resident volunteer members of a village fire company to no more than forty-five percent of the total membership of such companies.

The Board of Trustees of the Village of Port Dickinson, Broome County, New York (the "Board"), duly convened in regular session, does hereby resolve as follows:

Section 1. Senator Akshar and Assemblyman Crouch are hereby requested to sponsor and introduce legislation in the New York State Senate and New York State Assembly exempting the Village of Port Dickinson Fire Department and its Companies from the requirements of N.Y. Village Law § 10-1006(7), which limits non-resident volunteer members of a village fire company to no more than forty-five percent of the total membership of such companies.

Section 2. The Board finds and determines that it does not have the legal authority to adopt a local law relating to the proposed legislation or enact the legislation it is requesting.

Section 3. The Village of Port Dickinson Clerk shall send certified copies of this Resolution to Senator Akshar and Assemblyman Crouch.

Section 4. This Resolution shall take effect immediately.

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

- Mayor Burke reported that the NYS Legislature and passed resolutions to increase the salary cap retired Police Officers are allowed when working as a Police Officer for another jurisdiction from \$30,000 to \$35,000.

Motion by Trustee Cashman, seconded by Trustee Aagre, for a resolution to increase salaries of current full-time Police Officers who are working under the \$30,000 salary cap to \$35,000 when NYS legislation is signed.

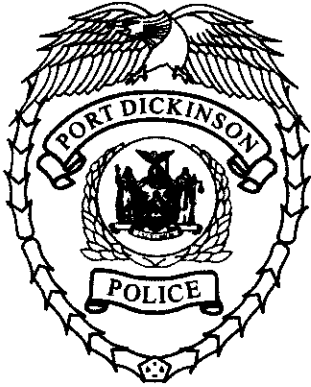
AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

ADJOURNMENT: Motion by Trustee Harding, seconded by Trustee Aagre for a motion to adjourn at 6:55 PM.

AYE TRUSTEES: AAGRE, CASHMAN, DEGENNARO, HARDING
NAY NONE

Respectfully submitted,
Susan E. Fox, Village Clerk

Susan Fox



The Village of Port Dickinson

Department of Police

Village Hall, 786 Chenango Street

Port Dickinson, New York 13901

Telephone: (607) 722-1255

Fax: (607) 722-0072

Douglas E. Pipher, Chief of Police

Police Department Monthly Report

Report Month:	August	Police Commissioner:	Trustee J. DeGennaro
Report Year:	2019	Chief:	Douglas Pipher
Report Date:	09/05/19	Deputy Village Clerk:	Corina M. Beames

Total Complaints Received: (113)

Med calls-11
PDFD-1
mental health-2
MVA/no injury-1
MVA/with injury-1
DV-4
Criminal mischief-2
Custody issue-1
Domestic-2
Multi V&T-1
Identity theft-1
Persons annoying-1
Larceny(from vehicle)-5
Fraud-1
Disturbance-1
Annoying youths-1
Check welfare-1
Dispute-1
Harassment-1
Stolen vehicle-1
Strange odor-1

Miscellaneous-57**Includes Property Checks, Lockouts, Alarms, Parking Comp., Animals, Traffic lights, Information, village reassurance program, code enforcement, special details, vacant properties , assist public and Etc.*

Assist Other Agencies-(15)

Broome County Sheriff

Suspicious-1
Mental health-1
Runaways-5
Domestic-1
Med call-1
Alaram-1

Larceny(civil)-1
Physical domestic-1
New York State Police
Traffic-1
Foot pursuit-1

Vehicle and Traffic Enforcement

TSLE&D Issued-13
Miscellaneous-1
Cell phone use(1225.c2)-0
Texting(1225.d)-0
Window tint-0
Seatbelts-2
Child safety seat-0
Speeding-3
Speeding in school zone-0
Aggressive driving-7

Parking tickets issued-(2)

Charges-0(0)

Patrol vehicle #492

- A. Starting Mileage-26003
- B. Ending Mileage-26503
Total Mileage-500
- B. Fuel: ***See Fuel Report Read Out From Company

Patrol Vehicle #491

- A. Starting Mileage -77318
Ending Mileage- 79190
Total Mileage-1872
- B. Fuel: ***See Fuel Report Read Out From Company

**Report of the Chief
August 2019**



TRAINING

DATE	Training Hours Offered	Members Present	Total Training Hours
August	12		
YTD HOURS:			
Members Present Month		4.4	
YTD 2019			
Man Hours		52	
Actual Hours Offered of Training YTD			

DATE	DATE	Topic	Training Hours Offered	Members Present	Total Training Hours
	8/5/2019	Topic: Rig Checks Instructor : Griswold	2	3	6
	8/6/2019	Topic: National 1st Responder Night out Instructor: Barlow	2	3	6
	8/12/2019	Topic: August Meeting Instructor: Shaller		12	
	8/19/2019	Topic: Hose Test Instructor: Griswold	3	6	18
	8/24/2019	Topic: Car Seat Safety Check Point Instructors: Barlow/Griswold	3	2	6
	8/26/2019	Topic: Hose Testing Instructor: Griswold	2	8	16

**Report of the
CHIEF
August 2019**



Alarms

Fire	13	Avg Members Response (F)	3	Med Avg	1
EMS	5	Avg Alarm to Response	6	0700-1500	7
Standby	1	Avg Alarm to Arrival	3.3	1500-2300	7
Total	19	Total Time in Service (hh:mm)	6:10	2300-0700	5
Given	12	Village of Port Dickinson	7	Fire Loss	0
Received	2	Town of Dickinson	3		
Engine 99		Town of Fenton	7		
No Tone		Town of Chenango	1		
		Town of Kirkwood			
		City of Binghamton	1		
		Other			
		Fire Service Injured	0		
		Fire Service Death	0		
		Civilian Injured	2		
		Civilian Death	0		

111	Building Fire		322	MVA w/Injuries	2	
112	Structure/No Building	1	400	Hazardous Condition		
113	Cooking Fire		411	Flammable Liquid Spill		
114	Chimney		412	Natural/LP Gas Leak	1	
116	Burner/Boiler/Furnace		424	CO Detector Activation	2	
118	Trash/Inside Building		463	MVA no Injuries	1	
121	Mobile Home Residence		500	Service Call	3	
130	Vehicle (All)		531	Smoke/Odor Removal		
141	Forrest/Woods/Wild Land		561	Open Burning		
142	Brush/Grass		571	Cover Assign/Standby	1	
150	Trash/Outside Fires		600	Good Intent Call		
163	Outside Gas/Vapor Exp		611	Cancelled en Route		
170	Garden/Orchard/Crops		710	False Malicious		
200	Over Pressure Rupture		730	False Malfunction	1	
240	Explosion/No Fire		740	False Unintentional	2	
243	Fireworks Exposure/No Fire		800	Severe Weather		
300	Rescues/EMS	5	900	Special Incident		
				TOTAL	19	0

VILLAGE OF PORT DICKINSON
COUNTY OF BROOME

In the Matter of:

A Proceeding to Remove an Unsafe Structure
at 758 Chenango Street, Village of Port Dickinson, New York
Designated by Tax Map No. 128.68-1-26,
Reputedly Owned by Robert Michael Roby

**ORDER AND
NOTICE OF
HEARING**

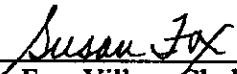
TO ROBERT MICHAEL ROBY and/or JOHN or JANE DOE

PLEASE TAKE NOTICE that the Building Inspector of the Village of Port Dickinson, Broome County, has filed a report concerning a structure on property at 758 Chenango Street, Village of Port Dickinson, New York designated by Tax Map No. 128.68-1-26, deeming the same to be unsafe or dangerous to the public, pursuant to Section 58-4 of the Port Dickinson Village Code. The report identifies the following conditions: (1) roof collapse in several locations, (2) interior exposure to snow, rain and other weather, and (3) unsanitary conditions conducive to attracting vermin.

You are hereby ORDERED to make the building safe and secure or remove said building. The securing or removal of the building shall commence within 30 days from the date of the service of this notice and shall be completed within 60 days therein. The Board of Trustees of the Village of Port Dickinson, or its designated agent, may extend the time of compliance where good cause is shown.

A hearing will be held before the Board of Trustees regarding this order, and **said hearing has been scheduled to be held on Tuesday, August 13, 2019 at 6:00 p.m. at the Village Hall, 786 Chenango Street, Port Dickinson, New York.** In the event the Board of Trustees, after the hearing finally determines that the building is unsafe or dangerous to the public, they may order the building to be repaired and secured or taken down and removed. In the event that the building shall be determined by the Village to be unsafe or dangerous and in the event of your neglect or refusal to repair or remove the same within the time provided, the Village may remove such building by whatever means it deems appropriate and may assess all expenses incurred by the Village in connection with the proceeding to remove or secure, including the cost of actually removing said building, against the land on which said building is located, and levied and collected in the same manner as provided in the Village Law for the levy and collection of Village taxes, or by commencement of a special proceeding against you pursuant to General Municipal Law Section 78-b. The Village may proceed by the appropriate means to ensure compliance with Chapter 58 of the Village of Port Dickinson Code through the Supreme Court of the State of New York.

Dated: July 23, 2019



Sue Fox, Village Clerk
Village of Port Dickinson

VILLAGE OF PORT DICKINSON
COUNTY OF BROOME

In the Matter of:

A Proceeding to Remove an Unsafe Structure
at 758 Chenango Street, Village of Port Dickinson, New York
Designated by Tax Map No. 128.68-1-26,
Reputedly Owned by Robert Michael Roby

**NOTICE OF
ADJOURNED DATE FOR
HEARING**

TO ROBERT MICHAEL ROBY and/or JOHN or JANE DOE

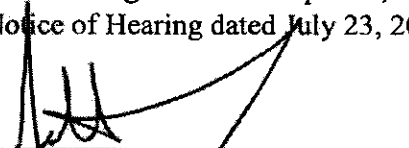
PLEASE TAKE NOTICE that, pursuant to an Order and Notice of Hearing dated July 23, 2019, and served on you the 5th day of August, 2019, a hearing was commenced on the 13th day of August, 2019 at 6:00 p.m. at the Village Hall, 786 Chenango Street, Port Dickinson, New York, regarding the above captioned matter.

YOU HAVE A RIGHT TO APPEAR at this hearing and present any evidence and testimony that you have regarding this matter.

DUE TO YOUR FAILURE TO APPEAR, the Village Board of the Village of Port Dickinson adjourned the hearing to September 10, 2019, at 6:00 p.m., at the Village Hall, 786 Chenango Street, Port Dickinson, New York.

THE HEARING WILL NOW BE HELD on September 10, 2019, at the time and place mentioned above, at which the Village Board of the Village of Port Dickinson will finally determine whether the referenced structure is unsafe or dangerous to the public, and matters associated therewith as identified in the Order and Notice of Hearing dated July 23, 2019, a copy of which is included with this Notice.

Dated: August 28, 2019



Nathan D. VanWhy, Esq.
Coughlin & Gehart, LLP
Attorneys for the Village of Port Dickinson

AFFIDAVIT OF SERVICE

STATE OF NEW YORK:
COUNTY OF BROOME :

I, COURTNEY VENCL

, being duly sworn, deposes and says:

That on AUGUST 6TH 2019, at 758 CHENANGO STREET

City of PORT DICKINSON, State of New York, deponent served the above

Order and Notice of Hearing on Resolution
ROBERT MICHAEL ROBY at 1:45 P.M. by:
[name of person served] [time]

1. INDIVIDUAL

☐ (a) Delivering a true copy thereof to _____ personally. Deponent knew the person so served to be the person described in said document(s).

☐ (b) Delivering a true copy to _____ a person of suitable age and discretion at person's actual place of business, dwelling place, or usual place of abode.

Deponent also enclosed a copy of same in a postpaid, sealed wrapper properly addressed to person's last known business, dwelling place or place of abode at _____ and deposited said wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service.

☒ (c) Affixing a true copy to the door of person's actual place of business, dwelling place, or usual place of abode. Deponent was unable, with due diligence, to find the person named therein or a person of suitable age and discretion having called there:

On AUGUST 1st 20 19, at 8:45 A.M.

On AUGUST 3rd 20 19, at 10:45 A.M.

On AUGUST 5th 20 19, at 6:30 P.M.

Deponent also enclosed a copy of same in a postpaid, sealed wrapper properly addressed to person's last known business, dwelling place or place of abode at 758 CHENANGO ST, BINGHAMTON, NY 13901 and deposited said wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service.

2. CORPORATION: Serving the above on _____ Corporation, personally, whom deponent knew to be the said corporation by delivering a true copy thereof with _____ an officer of said corporation or other agent authorized to receive service for said corporation.

DESCRIPTION: Deponent describes the individual served as follows:

Sex: _____, Hair: _____,
Skin: _____, Approx. Age: _____,
Approx. Ht.: _____, Approx. Wt.: _____

Signature *[Signature]*

Sworn to before me this 8th day of August, 20 19

Notary Public *[Signature]*

JULANNE S. MOSS
Notary Public - State of New York
No. 01M06282527
Qualified in Tioga County
My Commission Expires 05/28/20 21

7018 2290 0001 1087 7021
2807 1000 0622 8102

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

BINGHAMTON, NY 13901

Certified Mail Fee	\$3.50
\$	\$2.80
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$0.55

\$
Total Postage and Fees \$6.85

0727 33
AUG 07 2019
Postmark Here
08/07/2019
SPS

Sent To Robert Michael Roby
Street and Apt. No., or PO Box No. 758 Chenango Street
City, State, ZIP+4® Port Dickinson, NY 13901

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

AFFIDAVIT OF SERVICE

STATE OF NEW YORK:

COUNTY OF BROOME:

I, COURTNEY VENCL, being duly sworn, deposes and says:

That on AUGUST 29 2019, at 758 CHENANGO STREET

City of PORT DICKSON, State of New York, deponent served the above

Order and Notice of Hearing
ROBERT MICHAEL ROBY at 11:15 A.M. by:
[name of person served] [time]

1. INDIVIDUAL

☒ (a) Delivering a true copy thereof to ROBERT MICHAEL ROBY personally. Deponent knew the person so served to be the person described in said document(s).

☐ (b) Delivering a true copy to _____ a person of suitable age and discretion at person's actual place of business, dwelling place, or usual place of abode.

Deponent also enclosed a copy of same in a postpaid, sealed wrapper properly addressed to person's last known business, dwelling place or place of abode at _____ and deposited said wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service.

☐ (c) Affixing a true copy to the door of person's actual place of business, dwelling place, or usual place of abode. Deponent was unable, with due diligence, to find the person named therein or a person of suitable age and discretion having called there:

On _____ 20 _____, at _____
On _____ 20 _____, at _____
On _____ 20 _____, at _____

Deponent also enclosed a copy of same in a postpaid, sealed wrapper properly addressed to person's last known business, dwelling place or place of abode at _____ and deposited said wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service.

2. **CORPORATION:** Serving the above on _____ Corporation, personally, whom deponent knew to be the said corporation by delivering a true copy thereof with _____ an officer of said corporation or other agent authorized to receive service for said corporation.

DESCRIPTION: Deponent describes the individual served as follows:

Sex: MALE, Hair: GREY,
Skin: CAUCASIAN, Approx. Age: 70,
Approx. Ht.: 5'10", Approx. Wt.: 170

Signature _____

Sworn to before me this 5th day of September, 20 19

Notary Public _____

EMILY L. RUSSELL
NOTARY PUBLIC STATE OF NEW YORK
CHEMUNG
LIC. #01RU6361476
COMM. EXP. 07/10/2021

HULBERT Engineering and Land Surveying, DPC

Centre Plaza, 53 Chenango Street, 8th Floor
Binghamton, NY 13901-2805
P: 607-723-0799 F: 607-723-0337
hulberteng-ls@hulberteng-ls.com
www.hulberteng-ls.com

May 10, 2019

Village of Port Dickinson
786 Chenango Street
Binghamton, New York 13901

Attn: John Broughton
Code Enforcement Officer

Re: 758 Chenango Street
Binghamton, New York 13901
(Village of Port Dickinson)

Dear Mr. Broughton:

I inspected the referenced property on October 26, 2018, along with other Village Officials and the owner was present.

It is my opinion that the structure should be condemned as the structure is unsafe and dangerous for anyone to be inside. I have taken photographs and they are attached for your record. At the time, the owner had agreed that the building needed to come down.

The roof has collapsed in several locations. It has experienced another winter and many more rain events since our inspection which will only cause the structure to be more structurally unsound. It is highly probable that the floors are deteriorated and unsafe.

The condition of this structure is certainly unsanitary and conducive to attracting vermin. For the good of the neighborhood, I believe this structure should be razed as soon as possible.

It is also my opinion that the structure be posted to prohibit entry, and that entry should only be allowed under the directions and/or conditions stipulated by a professional engineer. This approval would also include the method of demolition.

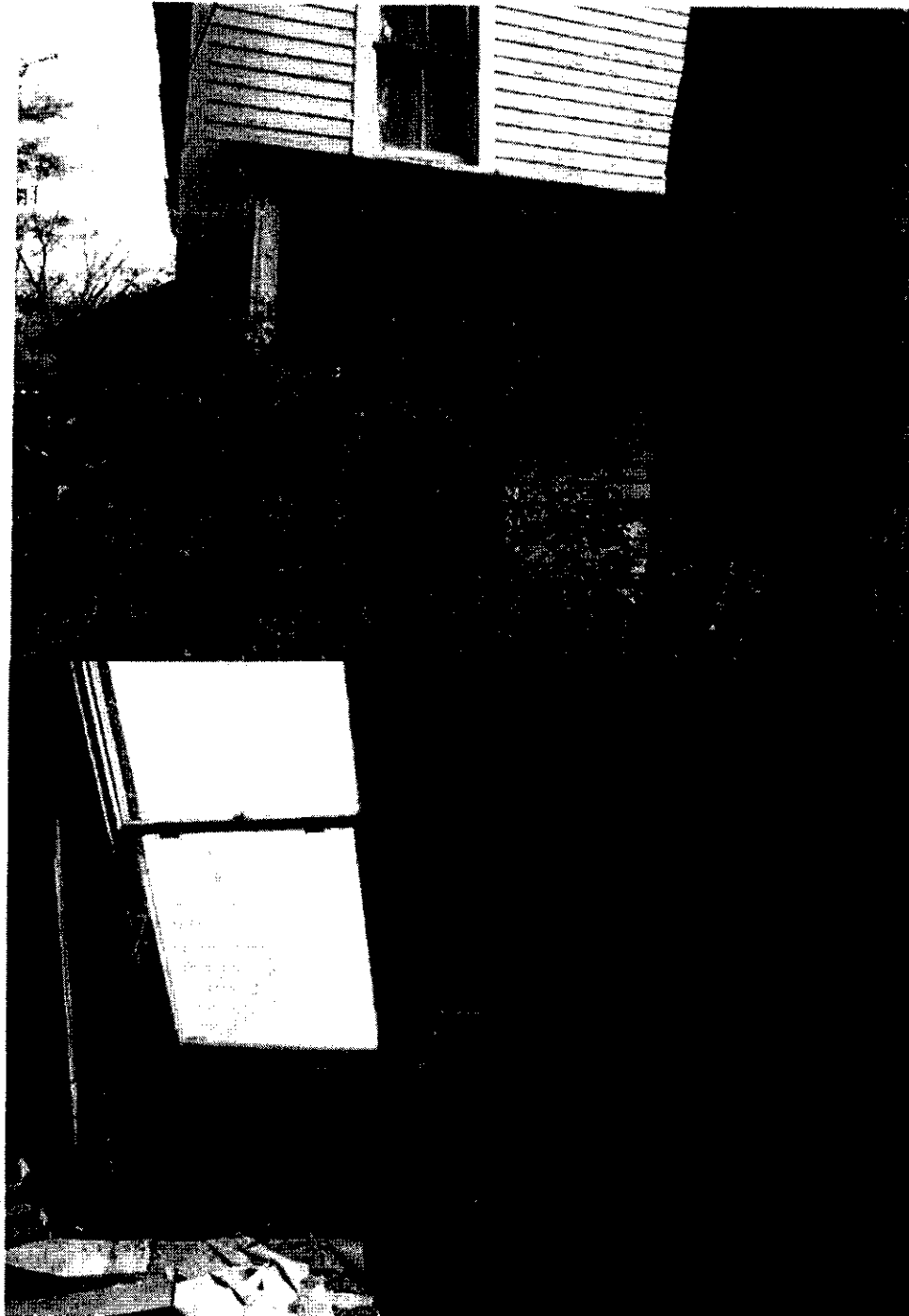
Please contact me if you desire additional information or want to discuss the situation.

Ronald B. Lake

Respectfully,
Ronald B. Lake, P.E.

HULBERT Engineering and Land Surveying, DPC

Centre Plaza, 53 Chenango Street, 8th Floor
Binghamton, NY 13901-2806
P: 607-723-0799 F: 607-723-0937
hulberteng-ls@hulberteng-ls.com
www.hulberteng-ls.com



HULBERT Engineering and Land Surveying, DPC

Centre Plaza, 53 Chenango Street, 8th Floor
Binghamton, NY 13901-2805
P: 607-723-0799 F: 607-723-0337
hulberteng-ls@hulberteng-ls.com
www.hulberteng-ls.com



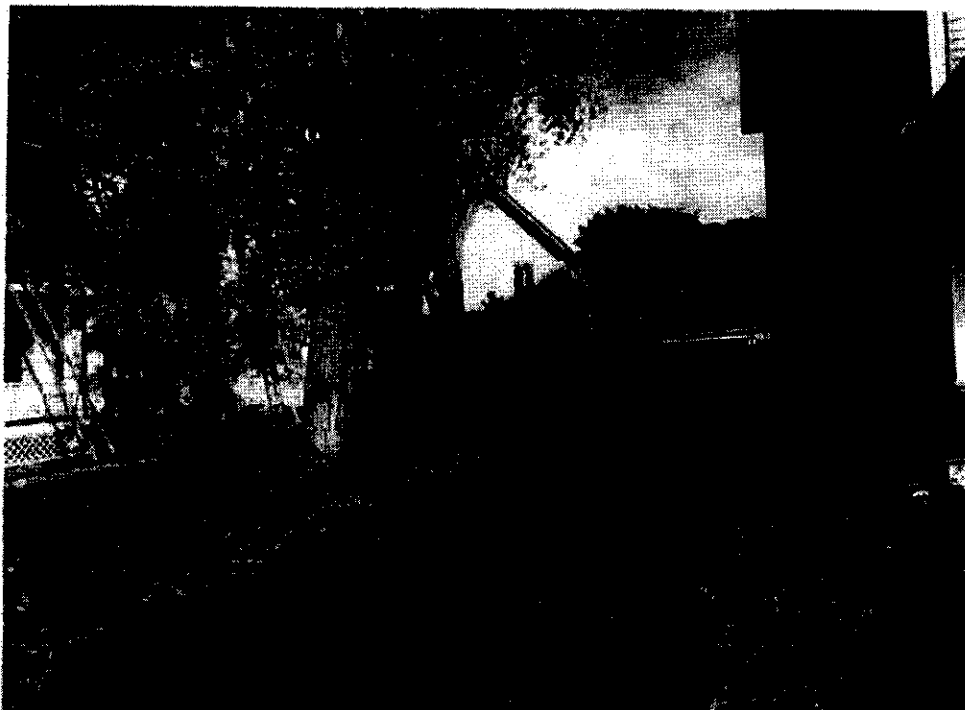
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Binghamton, NY 13901-2806
P: 607-723-0799 F: 607-723-0337
hulberteng-ls@hulberteng-ls.com
www.hulberteng-ls.com



HULBERT Engineering and Land Surveying, DPC

Centre Plaza, 53 Chenango Street, 8th Floor
Binghamton, NY 13901-2806
P: 607-723-0799 F: 607-723-0337
hulberteng-ls@hulberteng-ls.com
www.hulberteng-ls.com



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Unsafe Structure Proceeding			
Project Location (describe, and attach a location map): 758 Chenango Street			
Brief Description of Proposed Action: Administrative Proceeding regarding an unsafe structure located at 758 Chenango Street to determine whether or not the structure is unsafe, and to order, if so, the repair or removal of said structure			
Name of Applicant or Sponsor: Village of Port Dickinson		Telephone: 607-771-8233	
Address: 786 Chenango Street		E-Mail:	
City/PO: Binghamton		State: NY	Zip Code: 13901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? .35 acres b. Total acreage to be physically disturbed? .1 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? N/A acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Village of Port Dickinson</u> Date: <u>September 10, 2019</u> Signature: <u><i>Kevin M. Burke</i></u> Title: <u><i>Mayor</i></u>		

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Agency Use Only (If applicable)

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Port Dickinson	September 10, 2019
Name of Lead Agency	Date
Kevin Burke	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<i>Kevin M. Burke</i>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

RESOLUTION

WHEREAS, the Building Inspector has, after reviewing an inspection and report from Hulbert Engineering and Land Surveying, DPC (a copy of which is included with this resolution), deemed the building located at 758 Chenango Street, Binghamton, New York 13901, Tax Map #128.68-1-26, to be unsafe or dangerous to the public, pursuant to §58-4 of the Village Code of the Village of Port Dickinson; and

WHEREAS, §58-5 of the Village Code requires the Village Board of Trustees to consider such report and by resolution determine, if in its opinion the report so warrants, that such building is unsafe or dangerous and order its repair if the same can be safely repaired or its demolition and removal, and further order that a notice be served upon the persons and in the manner provided therein; and

WHEREAS, §58-6(5) of the Village Code further requires the Village Board to establish the time and place for a hearing before the Village Board in relation to such dangerous or unsafe building, which shall be scheduled not less than five business days from the date of service of the notice;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Port Dickinson hereby determines that the building located at 758 Chenango Street, Binghamton, New York 13901, Tax Map #128.68-1-26, is unsafe or dangerous to the public, and shall be safely repaired or demolished and removed; and

BE IT FURTHER RESOLVED that a public hearing will be held at 6:00 p.m. on Tuesday, August 13 at the Village Hall, 786 Chenango Street, Binghamton, New York 13901, pursuant to Chapter 58 of the Village Code, with respect to the building located at 758 Chenango Street, Binghamton, New York 13901, Tax Map #128.68-1-26; and

BE IT FURTHER RESOLVED that notice of said public hearing shall be given and filed pursuant to the requirements of Chapter 86 of the Village Code and that the Building Inspector and Village Clerk are authorized to work with legal counsel regarding the same; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

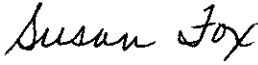
CERTIFICATION

I, Sue Fox, do hereby certify that I am the Village Clerk of the Village of Port Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Port Dickinson at a meeting thereof held at the Village Hall, 786 Chenango Street, Binghamton, New York 13901 on the 23rd day of July 2019 at 5:00 p.m. Said resolution was adopted by the following roll call vote:

Trustee Aagre	yes
Trustee DeGennaro	yes
Trustee Cashman	yes
Trustee Harding	yes

Dated: July 23, 2019

Village of Port Dickinson Seal


Sue Fox, Village Clerk

SEPTEMBER 10 2019

REPORT FOR ADMINISTRATION:
CONSTRUCTION GOING ON AT THE
FIRE STATION, LOOKS LIKE THEY ARE
MOVING ALONG AT A GOOD PACE .
CODE ENFORCEMENT : JOHN IS
WORKING ON THE ONGOING ISSUES AT
758 & 758 ½ AND OUR VILLAGE
ATTORNEY IS DRAWING UP THE
DOCUMENTS TO PROCEED WITH COURT
ACTION . OTHER ISSUES INCLUDE
PAINT VIOLATIONS AND GRASS
VIOLATIONS WARNINGS . COMMUNITY
ASSOCIATION : CHILD SAFETY COURSES
WERE HELD IN AUGUST AT THE PARK .

Village of Port Dickinson

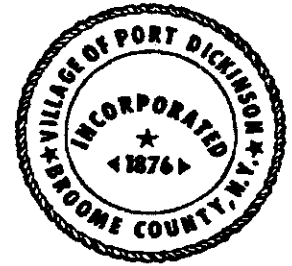
Village Hall, 786 Chenango Street

Port Dickinson, New York 13901

Telephone: (607) 771-8233

Fax: (607) 722-0072

John M. Broughton, Code Enforcement Officer



MONTHLY REPORT

August 2019

Total Miles Driven :52

To: **Board of Trustees**

From: **John M. Broughton**
Code Enforcement Officer

Issued several garbage can/ removal warnings, and grass in street warnings

Follow up on 758 and 758-1/2 Chenango St. owner has not attempted any repairs per court agreement in the fall of 2017, court date is scheduled for 6/15/18, met in court with the atty and Judge and allowing owner more time to complete repairs as he has begun the work, court date is 08/16/18....recieved 2 calls from residents about this property, met in court and owner agreed to make significant progress by the next court date in September which he has failed to do, also was to notify me of his plans for the rear house by 8/30/18 which he failed to do. Requested building inspector to do an unsafe structure evaluation on the rear house.... Owner did not complete the repairs and we met at court and asked the judge for a \$300.00 fine which was granted. I am now awaiting the unsafe structure report for the rear house from building inspector and will have that served upon the owner as well as another violation for the front house and garage repairs that were not completed from the previous violation. Met with Village engineer and building inspector at the site to review the status of the rear property, awaiting engineers report, I have a 2nd violation notice for the front house ready to be served when the rear property paperwork is prepared...12/2018 waiting engineers report for court paper to be drafted. Will be speaking with the owner during April 2019 and also awaiting engineering report from Ron Lake...Spoke with Atty Graves and will be drafting Supreme Ct documents.... Atty Graves turning this case over to new Atty who will be drafting court document to serve in Town Court

Follow up on cases that need to be addressed in spring of 2019

Issued new violation to 801 Chenango st for paint on house and garage, received a call from homeowner who asked if he could have more time to complete the painting, advised him to send me a letter requesting the extension and I would grant one, no work started as of 6/10/19, will follow up with the owner...owner has chipped/scraped the surfaces and is preparing to paint

Issued paint violation to 662 Chenango St, owner has not started any painting repairs or contacted me , will be issuing an appearance ticket to court...appearance ticket issued to

court, owner did not show up for scheduled arraignment and the court advised they would send her a re-scheduled date

Contractor to also quote sidewalk repair/replace at 10 Beacon St, Trustee Harding has a quote and awaiting for him to issue the go ahead for contractor to replace sidewalk, also issued owner a violation for having his shrubbery too high and too close to the sidewalk, our process server attempted to serve this in person when the owner slammed the door in his face and would not accept the service, process server was going to affix to residence and also mail him a copy.... Owner did not cut/trim his shrubbery and the village contractor performed the work

Issued 2nd grass violation to 18 Rochelle Rd for the month of August, contractor mowed once in August and will be mowing approx. 9/10/19 if owner does not mow, V/Board also requested our contractor trim the shrubbery

Issued grass and shrubbery violation to 789 Chenango St, owner mowed the property and trimmed the shrubbery back along the sidewalk

Issued violations to 22 Dickinson Ave for garbage and paint

Issued garbage violation and shrubbery overgrown to 3 River St

Issued garbage violation to 760 Chenango St

Issued gutter violation to 7 Lincoln St

Issued paint violation to 735 Chenango St for rear barn

Issued several maint violation to 28 Kirkwood Ave due to it going up for auction, received a call from a property maint company that is working with the owner and bank to bring property into compliance and the auction has been delayed indefinitely

Issued shrubbery/grass violation to 24 Beacon St

Issued grass and roofing violation to 2 Dickinson Ave, owner complied and case is closed

Issued 2 building permits and followed up on several open projects and updated case files.

Consulted with V/Atty on parking lot permit application for 777 Chenango St

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Trustee DeGennaro	yes
Trustee Cashman	yes
Trustee Harding	yes

Village of Port Dickinson Seal

Susan Fox

Sue Fox, Village Clerk

Dated: July 23, 2019

Village Water Consumption for : Aug-19

Read dates:	Binghamton meter	Fenton Large	Fenton Small
9/3/2019	35248300	12012021	2427962
7/31/2019	35163700	11584502	2307300
Usage	84600	427519	120662
Total cubic ft:	632781		

Read dates:	Town of Fenton Sewer Readings		Rate:	350x.01
9/3/2019	49329200			cu.
7/31/2019	49250000			Ft/min
			Time:	1:30
Total	79200	cu. ft.		

Read dates:	Wayne Ave.	sewer station readings (hours):		
	Pump1	Pump 2	Pump 3	
9/3/2019	5437.2	18255.2	16743.2	
7/31/2019	5384.4	18255.2	16721	
Totals	52.8	0	22.2	
Total hrs.	75			